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THE  
WESTMINSTER REVIEW,

1819

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VOLUME XX.

JANUARY—APRIL, 1834.



L O N D O N .

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1834.



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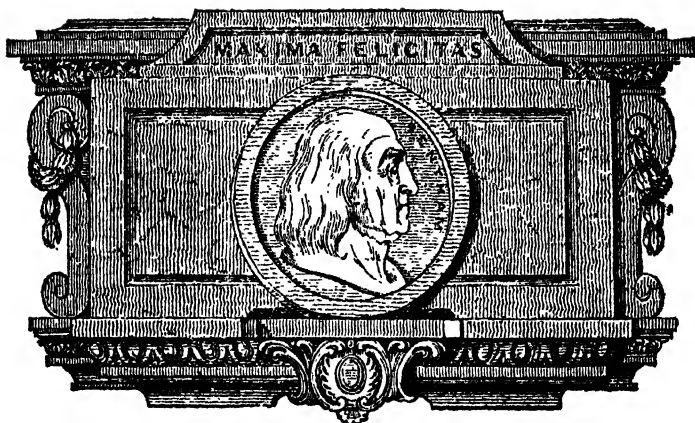
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THE  
WESTMINSTER REVIEW,

No. XXXIX.

FOR JANUARY 1, 1834



ART. I.—*The Bridgewater Treatises, on the Power, Wisdom, and Goodness of God, as manifested in the Creation. Treatise I. The Adaptation of External Nature to the Moral and Intellectual Constitution of Man.* By the Rev. Thomas Chalmers D. D. Professor of Divinity in the University of Edinburgh.—2 vols. 8vo. London; Pickering. 1833.

TO Cambridge men, at least of standing, the word 'virtue' is apt to suggest the recollection of a hack preacher (as was thirty years ago the not very civil term for a divine that preached for any of the Masters of Arts in their turns for a *consideration*), now probably gathered to his fathers; in whose discourses this word made a disproportioned figure, with the further disadvantage of being turned by some provincial or other peculiarity into the sound of 'vartue.' The good man old whose effigy surmounts the present page, was found, in his post-prandial hours, of sati-

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rizing this kind of verbiage by quoting a Westminster boy's theme which once began, '*There is nothing so virtuous as virtue.*' It is astonishing what a proportion of the world's wisdom in the ethical department, this promising youngster compressed into his proœmium.

The history of the Bridgewater Treatises is pretty generally known. The Right Honourable and Reverend Francis Henry, Earl of Bridgewater,—distinguished by the possession of immense wealth, and by leading a most eccentric and unclerical life at Paris, as far as can well be from anything like the odour of sanctity,—left at his death eight thousand pounds to establish the Power, Wisdom, and Goodness of God. It is not universally necessary to recall the failings of individuals; but when the Quarterly Review chuses to be diffuse upon the case, to the honour and glory of a clerical nobility, it becomes a fraud not to state the whole. Money however, as the Roman emperor said, has never an ill smell; and the Trustee, with the assistance of his Grace the Archbishop of Canterbury and the Bishop of London, divided the bequest into eight parts, and appointed eight gentlemen to write separate Treatises on different branches of the subject, of whom the Professor of Divinity at Edinburgh is placed the first.

If the branch-subject undertaken by the author, was assigned to him by the high authorities engaged, he may justly complain that they gave him what John Bunyan would have called 'hard nuts,' without even the certainty of advantage arising from 'hard texts when cracked.' What is 'External Nature'? What is 'the Moral and Intellectual Constitution of Man'? And what above all is 'The Adaptation of External Nature to the Moral and Intellectual Constitution of Man'? Numbers will be at a loss to tell, before they have read the book; and it may in fairness be ascribed to the nature of the subject, if a great proportion of them are not much more illuminated afterwards.

The object here, however, is not so much to examine the degree of success with which the subject has been pursued, as to answer the remarks which the author has been led from time to time to direct against the people called Utilitarians,—to compare the magnitude of his results and theirs,—and to point out the 'more excellent way' in which he might profitably have exerted his talents and his industry.

He begins by quarrelling with 'atheistical writers.' This was perhaps a necessary deference to his employers. La Place turns out to be the culprit; and when his crime is examined, it proves to be the having 'endeavoured to demonstrate of the law of gravitation, that, in respect of

its being inversely proportional to the square of the distance from the centre, it is an essential property of matter.' [Vol. I. p. 17.] There appears small policy in fixing on a speculation, which in the first place La Place could not be expected to conceal if he thought it true, and which in the next place had always been considered as put beyond doubt in question of fact, ever since Dr. Maskelyne's celebrated experiment on the mountain Schehallien. If it be true that all matter so attracts, what so innocent as the surmise that there is some reason common to all matter *why* it so attracts? A cowed monk, would hardly have spied sin beneath the thought. If the author and Professor Robison believe what they teach to be true, why should they have qualms lest it should be disproved or weakened by the discoveries of La Place? Either it is true, or it is not. If it is true, is there any danger that La Place should disprove it? If La Place can disprove it, do they want what is not true to be believed? The tremulous Professors appear to be in the figure called a crocodile. And after all, is not this exactly the folly displayed in the case of Galileo? The clergy of that day were afraid that Galileo should disprove something they wished to teach. And what would have been the result if they had succeeded, except that we should have believed this speck we walk on and the twinkling lights that shine on it, to be the limits of God's creation,—instead of knowing that the heaven of heavens cannot contain Him, and the verge of man's imaginations is but the threshold of His works.

At the same time it must be acknowledged that the church is made of stretching materials; it always gives up a point when it is forced. The mark it aims at, is invariably the undecided state, between suspicion of truth, and certainty; when sacerdotal discouragement may by possibility check some inquiry, and smother some discovery in its birth. For example, forty years ago it was an unpardonable offence to believe, suspect or insinuate, that anything in the world was older than some six thousand years the theologians assigned to it; witness the hard measure poured out upon a certain Abbé Recupero who persisted in making 'his mountain' older than was orthodox; witness too, Cowper's witty and well-meant lines,—

'Some drill and bore  
The solid earth, and from the strata there  
Extract a register, by which we learn,  
That he who made it, and reveal'd its date  
To Moses, was mistaken in its age.'

None of them ever suspected that a time might come, when they would be glad to say they were wrong in believing the date

had been revealed. But the thing that has been, is the thing that will be ; and when the clergy complain, as they are apt to do, of the little influence they possess over men and men's affairs, the hereditary 'obscurantism' of their caste is, to a considerable extent, at once the reason and the defence.

But the author hastens to involve himself in controversy, and to break a lance with the haters of Axioms.

'But, although in the mental department of creation, the argument for a God that is gathered out of such materials, is not so strong as in the other great department—yet it does furnish a peculiar argument of its own, which, though not grounded on mathematical data, and not derived from a lengthened and logical process of reasoning, is of a highly effective and practical character notwithstanding. It has not less in it of the substance, though it may have greatly less in it of the semblance of demonstration, that it consists of but one step between the premises and the conclusion. It is briefly, but cannot be more clearly and emphatically expressed than in the following sentence.—“He that formed the eye, shall he not see? He that planted the ear, shall he not hear? He that teacheth man knowledge, shall he not know?” That the parent cause of intelligent beings shall be itself intelligent is an aphorism, which, if not demonstrable in the forms of logic, carries in the very announcement of it a challenging power over the acquiescence of almost all spirits. It is a thing of instant conviction, as if seen in the light of its own evidence, more than a thing of lengthened and laborious proof. It may be stigmatized as a mere impression—nevertheless the most of intellects go as readily along with it, as they would from one *contiguous* step to another of many a stately argumentation. If it cannot be exhibited as the conclusion of a syllogism, it is because of its own inherent right to be admitted there as the major proposition. To proscribe every such truth, or to disown it from being truth, merely because incapable of deduction, would be to cast away the first principles of all reasoning. It would banish the authority of intuition, and so reduce all philosophy and knowledge to a state of universal scepticism—for what is the first departure of every argument but an intuition, and what but a series of intuitions are its successive stepping-stones? We should soon involve ourselves in helpless perplexity and darkness, did we insist on every thing being proved and on nothing being assumed—for valid assumptions are the materials of truth, and the only office of argument is to weave them together into so many pieces of instruction for the bettering or enlightening of the species.’—I. p. 35.

A stout gentleman in one of the small colleges, subsequently an imposing dignitary of the church in the fens, was celebrated for having maintained in the lecture-room the uselessness of Euclid's demonstrations; and when the blushing lecturer asked how he knew the propositions to be true, he replied magnanimously,—‘By intuition.’ Akin to this is probably the Scottish Professor's notion of the term. What is ‘intuition,’ but the

perceiving a thing to be so and so at sight? and has anybody ever objected to a thing being received when the evidence at sight is distinct and unsuspected? But the misfortune is, that this evidence at sight is generally no evidence at all. What is opposed, therefore, is the making of assumptions upon evidence that may be no evidence. In the immediate instance, the whole is perfectly explicable without a word of 'intuition.' 'That the parent [*creative or fabricating*] cause of intelligent beings shall be itself intelligent, is an aphorism [*Why not a proposition? why mystify it by calling it an aphorism? Are people to believe it because of its aphorismatic form, or by reason of the jingle between 'intelligent' and 'intelligent'?*'] which, if not demonstrable in the forms of logic, carries in the very announcement of it a challenging power over the acquiescence of all spirits.' What does this mean, being sifted, but that men generally believe, what on examination they see reason to believe? That nobody, or no being, can advisedly and of intelligence aforethought, frame any complicated work to a particular purpose, without being intelligent,—is a truism, an identical proposition, the poorest production of man's brain. But if it is impossible to frame any ordinarily complicated work, still more is it impossible to frame that most curious of all works, so far surpassing all human power as never to have been attempted by human ambition, *an intelligent being*. There seems nothing in this verity, which should teach mankind to eschew demonstration, and take to believing upon intuition through terror of falling into universal scepticism.

'That blind and unconscious matter cannot, by any of her combinations, [*Why her?* This sexing is a stock receipt for mystification.] evolve the phenomena of mind, is a proposition seen in its own immediate light, and felt to be true with all the speed and certainty of an axiom.'—*Ib.*

That we have no evidence that 'blind and unconscious matter' can 'evolve the phenomena of mind,' and consequently the thing is, to say the least, unproved,—appears to be what we really know upon the subject. But, as concerns being 'seen in its own immediate light,' and so forth,—that 'cold and inactive matter' could by none of *her* combinations evolve the phenomena of 'heat and motion,' would be just as good a play of words, and just as well proved by anything that is in the text. Yet

'It is to such truth, as being of instant and almost universal consent, that, more than to any other, we owe the existence of a natural theology among men.'—*Ib.*

A passage in a following Section holds out some prospect of arriving at the meaning of the title.

'We hold that the material universe affords decisive attestation to the natural perfections of the Godhead, but that it leaves the question of his moral perfections involved in profoundest mystery. The machinery of a serpent's tooth, for the obvious infliction of pain and death upon its victims, may speak as distinctly for the power and intelligence of its Maker as the machinery of those teeth which, formed and inserted for simple mastication, subserve the purposes of a bland and beneficent economy. An apparatus of suffering and torture might furnish as clear an indication of design, though a design of cruelty, as does an apparatus for the ministration of enjoyment furnish the indication also of design, but a design of benevolence. Did we confine our study to the material constitution of things, we should meet with the enigma of many perplexing and contradictory appearances. We hope to make it manifest, that in the study of the mental constitution, this enigma is greatly alleviated, if not wholly done away; and, at all events, that within our peculiar province there lie the most full and unambiguous demonstrations, which nature hath any where given to us, both of the benevolence and the righteousness of God.'—I. p. 38.

A serpent's tooth was probably intended to enable the animal to feed on prey it could not otherwise master, and possibly also to shorten the sufferings of the victim. If it sometimes falls on man, it is only by accident; and the number of men who die by serpent's teeth, is probably vastly inferior to the number accidentally drowned. There is therefore no more apparent reason for concluding the tooth to be formed with malevolent intent, than streams and water, or at all events than any other tooth of a carnivorous animal. But passing this, the assertion to be stored as explanatory of the title, is that the *material* universe 'leaves the question of the moral perfections of the Godhead involved in profoundest mystery,' but 'in the study of the *mental* constitution, this enigma is greatly alleviated, if not wholly done away.' This grain of wheat was not so easily found out.

A passage somewhat further on, is remarkable as contrasted with the mode in which the author afterwards inveighs against the principle of 'utility.'

'— for many are both the material and the mental processes which might be recognized as pregnant with utility, and so, pregnant with evidence for a God, long before the processes themselves are analyzed.'—I. p. 45.

If then 'utility' is 'evidence for a God,' why should it be such a bad measure of conduct when applied to man? Does not this look like the natural Dr. Chalmers at issue with the artificial one? So again in the next page;—

'So that long ere the philosophy of matter is perfected, or all its

phenomena and its secondary laws have been resolved into their original and constituent principles—may we, in their obvious and immediate utility alone, detect as many separate evidences in nature as there are separate facts in nature, for a wise and benevolent Deity.—I. p. 46.

If then every separate fact in the construction of the natural world which presents evidence of ‘utility,’ presents evidence for a wise and benevolent Deity,—why should not ‘utility’ be something like a mark or measure, for a wise and benevolent man? It is *naturam expellat furca*—; the opponents can none of them keep clear of it.

All the above extracts are from the Introductory Chapter. The next is entitled ‘On the Supremacy of Conscience.’ Locke’s definition of Conscience was, that it is ‘our own opinion of our own actions.’\* The present author, without ever disproving or absolutely denying Locke’s assertion, expends forty pages on trying to corrupt the simplicity of the idea. What he aims at, and why, will be best collected from extracts; in the course of which, the mode of opposition chiefly adopted will be by the intrusion of Locke’s definition.

The commencement of the Chapter presents a specimen, of what at the pleasure of the reader may be termed the mystical, the unsubstantial, or the unprofitable; such as belongs rather to the speculations of gone-by ages than of the present.

‘An abstract question in morals is distinct from a question respecting the constitution of man’s moral nature; and the former ought no more to be confounded with the latter, than the truths of geometry with the faculties of the reasoning mind which comprehends them.’—I. p. 57.

Not very close, the illustration. To have had any bearing as a parallel, it should have run—‘than the truths of geometry with the constitution of triangles;’ which would have shown the whole to be naught. But proceed.

‘The virtuousness of justice was a stable doctrine in ethical science, anterior to the existence of the species; and would remain so, though the species were destroyed—just as much as the properties of a triangle are the enduring stabilities of mathematical science; and that, though no matter had been created to exemplify the positions or the figures of geometry.’—*Ib.*

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\* ‘Others also may come to be of the same Mind, from their Education, Company, and Customs of their Country; which Persuasion however got, will serve to set Conscience on work, which is nothing else, but our own Opinion of our own Actions. And if Conscience be a Proof of innate Principles, contraries may be innate Principles: Since some Men with the same bent of Conscience, prosecute, what others avoid.’—*Locke on Human Understanding*. B. 1. c. 3. § 8.



The *virtuousness of justice*—what is it? Can the Westminster boy tell? The author has used the word *virtue* and its relatives, several hundred times in the present work, without ever throwing the least light upon the question. He seems to think men must be born with an innate knowledge of what he means by the term. But leaving this,—was there ever so unpromising, so damping a commencement for a moral treatise professing to be intended to be useful, as plunging into the question, fittest for the ancient school-men, of whether there would have been the evil of tight shoes if nobody had had any feet; for to this in fact does the latter part of the proposition amount. It is fortunate when a fallacy or a weakness will take to earth in geometry. The properties of a triangle depend on the properties of the straight line; and these again depend on the property of the sphere by which it will be turned about its centre without change of place, and consequently the point of contact between two spheres remain unmoved; and this again, upon that property of matter which may be called hardness or fixedness, by virtue of which two particles which will coincide with two others today, will do the same tomorrow. It may be left therefore for the school-men to determine, whether the properties of a triangle would have been ‘the enduring stabilities of mathematical science though no matter had been created.’ This may not all seem very important; but it is of weight as an indication of the habitude of gathering up straws to the omission of weightier matters, which has made metaphysics, and almost ethics, a kind of bye-word among men of plain straight-forward understandings, a something approaching to a synonyme with the shadowy and the frail.

But there seems some risk of ‘virtue’ being explained.

‘Virtue is not a creation of the Divine will, but has had everlasting residence in the nature of the Godhead.’—I. p. 58.

Alas that any man of talent in this latter day, should have written anything so washy, ineffectual, and *fizenless*, instead of giving something like a ‘stand-up’ definition of what this ‘virtue’ is, the pother is about. Who is to be persuaded, by men who cannot or will not explain the thing they talk of? Who is to be instructed, by such

‘Conjectures, fancies, built on nothing firm.

Thin sown with aught of profit or delight.’

More threats are held out, but not fulfilled.

‘We must frequently in the course of this discussion, advert to the principles of ethics; but it is not on the system of ethical doctrine that our argument properly is founded.’—I. p. 58.

It is a mere *brutum fulmen*. The author never lets out anything of the principles of ethics. He cannot tell why ethics are ethics. He cannot tell why some things are ethics and other things are not ethics. He cannot tell what things are ethics and what are not. Or if he can, it is at all events kept as a sealed book from his readers. There is nothing bestowed upon them but the ringing of changes between *ignotum* and *ignotius*, with which the world has been troubled ever since philosophy became a trade.

The facts of the human constitution, apart altogether from the philosophy of their causation, demonstrate the wisdom and benevolence of Him who framed it: and while it is our part to follow the light of this philosophy, as far as the light and the guidance of it are sure, we are not, in those cases, when the final cause is obvious as day, though the proximate efficient cause should be hidden in deepest mystery,—we are not, on this account, to confound darkness with light, or light with darkness.

‘By attending throughout to this observation, we shall be saved from a thousand irrelevancies as well as obscurities of argument; and it is an observation peculiarly applicable, in announcing that great fact or phenomenon of mind, which, for many reasons, should hold a foremost place in our demonstration—we mean the felt supremacy of conscience [*the felt supremacy, that is, of our own opinion of our own actions*]: Philosophers there are, who have attempted to resolve this fact into ulterior or ultimate ones in the mental constitution; and who have denied to the faculty a place among its original and unpounded principles. . . . It is somewhat like an antiquarian controversy respecting the first formation and historical changes of some certain court of government, the rightful authority of whose decisions and acts is at the same time fully recognised. And so, philosophers have disputed regarding the court of conscience—[*The figure called encroachment. Conscience, from being a man's own opinion of his own actions, has got to be something that holds a court—a court of conscience too—a happy jingle.*] of what materials it is constructed, and by what line of genealogy from the anterior principles of our nature it has sprung. Yet most of these have admitted the proper right of sovereignty which belongs to it; its legitimate place as the master and the arbiter over all the appetites and desires and practical forces of human nature. Or, if any have dared the singularity of denying this, they do so in opposition to the general sense and general language of mankind, whose very modes of speech compel them to affirm that the biddings of conscience [*that is, of a man's own opinion of his own actions*] are of paramount authority—its peculiar office being to tell what all men should, [*Not what all men should, but to tell each individual what he severally thinks he should.*] And after all, what is the sense or meaning of the ‘office’ of telling a man what he thinks? or all men ought to do.’

‘The proposition, however, which we are now urging, is not that the obligations of virtue are binding [*What is ‘virtue’? and what are*

its 'obligations' ? ], but that man has a conscience which tells him that they are so—not that justice and truth and humanity are the dogmata of the abstract moral system, but that they are the dictates of man's moral nature [*What is 'man's moral nature,' and what are 'its dictates' ?* ]—not that in themselves they are the constituent parts of moral rectitude [*What is 'moral rectitude,' and what its 'constituent parts' ?* ], but that there is a voice within every heart which thus pronounces on them. It is not with the constitution of morality [*What is 'morality' ?* ], viewed objectively, as a system or theory of doctrine, that we have properly to do; but with the constitution of man's spirit, viewed as the subject of certain phenomena and laws—and, more particularly, with a great psychological fact in human nature, namely, the homage rendered by it to the supremacy of conscience. In a word, it is not of a category, but of a creation that we are speaking. The one can tell us nothing of the Divine character, while the other might afford most distinct and decisive indications of it. We could found no demonstration whatever of the Divine purposes, on a mere ethical, any more than we could, on a logical or mathematical category. But it is very different with an actual creation, whether in mind or in matter—a mechanism of obvious contrivance, and whose workings and tendencies, therefore, must be referred to the design, and so to the disposition or character of that Being, whose spirit hath devised and whose fingers have framed it.—I. p. 59.

he evident spirit and bearing of all this, is to lead away from the simplicity of Locke's discovery or definition, by involving it in the mysterious and the supernatural, and representing conscience as a court, as a voice, as a sovereign, as a female, as an escapement. The voice within every heart is from Rousseau; a bad substitute for Locke. The whole is mere retrograding. The fact is the ecclesiastics do not like a tangible criterion; they had vastly rather have the keeping of the tree of knowledge of good and evil in their own garden. They desire, and always have desired, to be the servers-out of morals; and they view with dislike any dissemination of knowledge, which may tend to make every man his own casuist. They wish the decision of what men shall and shall not do or encourage, to be considered as dependent on an impression, an impulse, an instinct, a direct operation of the Deity;—in short anything which shall exclude the dangerous idea, that the decision of right and wrong may be arrived at by the use of the ordinary faculties bestowed on man. It is a secret, a family nostrum to be kept; they want to *make* morality, and are naturally jealous of interlopers in the field.

~ Suppose now a theologian should tell a sailor, the commander of a twelve-hundred-ton ship, that instead of believing that God had bestowed on him and other men natural faculties, by the

application of which to his particular calling, and using all diligence in collecting the observations and ideas of others and backing them with his own, he might acquire and daily improve the power of judging of what it is desirable that twelve-hundred-ton ships should do and what they should avoid ;—suppose he should tell him that instead of believing this, he should believe there was in some part of his inward man a *court*, a *voice*, a *sovereign*, a *lady whisperer*, an *escapement*, which taught all men when to heave in stays and when to make sail an end by dint of a divinity that stirred within them. What would this be, but trying to set the man wrong and keep him wrong? Or what could be the inference, but that the teacher was jealous of 'Hamilton Moore' and the 'Shipmaster's Assistant,' and wanted to be the keeper of the captain's naval conscience that he recommends to him? And the great practical mischief as regards the scholar, is that instead of being taught that he has before him the competent means of acquiring the necessary knowledge ;—instead of being told, in apostolic language, that God has not left him without witness, but has surrounded him with a host of testimonies that if he confounds shoal water with deep or lets go his anchor in the bottomless pit of the ocean, it can scarcely be through anything but his own culpable neglect and voluntary ignorance ;—instead of being counselled to a humble seeking of wisdom in the way that God has laid it to be found, he is told that a certain divine *afflatus*, a puff of inspiration existing in some part of his human microcosm, is the true and great director of men of water-borne businesses, and if he leaves his vessel's bones upon the beach, it is through nothing but too little consulting of the inborn monitor.

Not the smallest argument would be derivable in such a case, from the fact that some sea-captains know their duty and do it not. It may be perfectly true, that many a captain knows he ought not to be bemused with drink on the setting-in of a December's night, and still does not abstain from familiarity with the case-bottle. He knows as well as he can be told, that he risks his own life and comfort as well as of all on board ; and still he does it. There is nothing mysterious in a man's grasping at an immediate enjoyment, at the risk of a remote and uncertain evil ; the good use to be made of the occasion, would be to try to demonstrate to the offender, that he is only a sot and a fool after all. But not a fragment of inference can thence be derived, in favour of a man's directing his quarter-deck or cabin operations by the inborn monitor. It is within everybody's compass to attain to the knowledge by natural means, -

that a drunken captain is a most dangerous animal to himself and everybody else, and to be held in hate and horror by all that value their nautical security. The weakest of all conclusions, would be that because the skipper knows drunkenness is bad seamanship, there can be nothing but the inborn monitor to tell him so. Yet this is precisely the argument the author appears to have subsequently adopted in the case of conscience.

But the great and insuperable argument against the inbred monitor, is that it cries to ope man 'helm a-weather' and to another 'a-lee;' and that when one of them is wrecked in consequence, they cannot both have been right. This had been urged before; and it is alluded to in the following characteristic manner by the Bridgewater advocate.

'The law of conscience may be regarded as comprising all those virtues which the hand of the Deity hath inscribed on the tablet of the human heart, or on the tablet of natural jurisprudence; and an argument for these being the very virtues which characterise and adorn Himself, is that they must have been transcribed from the prior tablet of His own nature.'—I. p. 84.

O for five minutes of Jeremy Bentham after meat, to hang up such useless verbiage upon the pot-hook of his nose!

'We are sensible that there is much to obscure this inference in the actual circumstances of the world. More especially—it has been alleged, on the side of scepticism [*meaning the Westminster Review*\*], that there is an exceeding diversity of moral judgments among men; that, out of the multifarious decisions of the human conscience, no consistent code of virtue can be framed; and that, therefore, no consistent character can be ascribed to Him, who planted this faculty in the bosom of our species, and bade it speak so uncertainly and so variously.'—I. p. 84.

This is altogether a very unfair representation. In the first place, what is meant by scepticism? Manifestly, doubting the authority of the Edinburgh Professor. So it has always been. Man issues his fancies, and then slips into the notion that he is a revelation. But it is clearly intended to be very

\* The passage conceived to be alluded to, is as follows.

'If there is any such thing as a faculty established for the purpose of telling man what is right and wrong, it at all events varies very oddly in different latitudes. For there is scarcely any assignable thing that is in some places announced to be wrong, that has not in others been declared to be venial or right. In short the boasted monitor is so evidently reducible to Locke's definition, of being 'our own opinion of the nature of our actions,' that its existence at all must depend on proving, that men's opinions of the nature of their actions are never either contrary or wrong.'—*Westminster Review*, No. XXXIV, for Oct. 1832; Article on 'Wainwright's Vindication of Paley. Fort Risban,' p. 418.

*dyslogistic*. The concluding part is a mere mis-statement of the argument; for the inference was not 'that no consistent character can be ascribed to Him,' with whom is no parallax nor shadow of turning,—but that it was a mistake and hurtful error to insist that He had gone out of His course to institute an extraordinary and peculiar faculty where there was no occasion for it, and no evidence for the fact but all against it. It is in vain to try to explain away the matter, as Dr. Chalmers does, by maintaining that God gives man the skeleton of a conscience and leaves him to fill up the muscles and gristle himself; for this amounts to an abandonment of the question. No one has denied that man is presented with the ground-work or leading elements of conscience in the shape of natural faculties, round which he may accumulate with pains a just opinion of the nature of his actions. On the contrary, the very thing asserted by the opposing side, is that this is what he is to do.

Dr. Chalmers's explanation of the uncertain sound thus given by the trumpet of the conscience, is that it is 'partly reducible into the blinding, or, at least, the distorting effect of passion and interest,' and 'that Conscience *needs but to be rightly informed*, that she may speak the same language, and give forth the same lessons in all the countries of the earth.' This is like telling men that if they deduce different hours from the same watch, it is in the first place because they are in a passion, and secondly because the face turns round and nothing is wanting but right information which way to set it. The question is why people under no particular distortion of 'passion and interest,' and with at all events no precise tribunal capable of settling their relative degrees of information, have different consciences. A Scottish conscience considers music, and above all whistling, as highly criminal on Sundays; a Belgian *religieuse* pushes under Punch in all his glory on the Sabbath afternoon, and never thinks of viewing him as a scandal or a stumbling-block. Take the picture the day before, and the Belgian would think her soul endangered by a rasher on the coals, while the Scotchman would think he fell into a sinful compliance, if he did not bellow for something fleshly in addition to the fishy rations of his hotel. What is the explanation of all this, but that one *opines* one thing to be wrong, and the other the other? There may very probably be another explanation at Edinburgh; which is that the Scotchman is all right, and the Belgian all perversity. But this is a solution only for the gude town; there wants one that can cross salt water and answer in all longitudes.

'When theft was publicly honoured and rewarded in Sparta, it was not because theft in itself was reckoned a good thing; but because patriotism, and dexterity, and those services by which the interests of patriotism might be supported, were reckoned to be good things. When the natives of Hindostan assemble with delight around the agonies of a human sacrifice, it is not because they hold it good to rejoice in a spectacle of pain; but because they hold it good to rejoice in a spectacle of heroic devotion to the memory of the dead. When parents are exposed or children are destroyed, it is not because it is deemed to be right that there should be the infliction of misery for its own sake; but because it is deemed to be right that the wretchedness of old age should be curtailed, or that the world should be saved from the miseries of an over-crowded species. In a word, in the very worst of these anomalies, some form of good may be detected, which has led to their establishment; and still, some universal and undoubted principle of morality, however perverted or misapplied, can be alleged in vindication of them. A people may be deluded by their ignorance; or misguided by their superstition; or, not only hurried into wrong deeds, but even fostered into wrong sentiments, under the influences of that cupidity or revenge, which are so perpetually operating in the warfare of savage or demi-savage nations. Yet, in spite of all the topical moralities to which these have given birth, there is an unquestioned and universal morality notwithstanding.'—p. 90.

This is exactly what the opposite side had said\*; only

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\* '—the substance of what they have endeavoured to maintain, when presented with more attention to order than a controversy would admit, is as follows.'

'First, That Morality, as applied to the conduct of individuals, is reducible to being the rule, the general observation of which would produce the greatest sum or aggregate of happiness among those who are to be affected by the consequences. That though moral precepts may have been uttered without any reference made to this principle, and many of them may have been right,—it is a reference to this principle which in disputed cases distinguishes the true from the pseudo-morality;—which establishes, for example, that it is not a meritorious action for a man to eat his father, as in some countries has been inculcated as a duty, and that it is not criminal *per se* to drink wine, which in others has been accounted an offence. If they are asked how they know that morality is reducible to this rule, they reply, Because on comparison with any of the systems of morality which have attained to extensive acceptance among mankind, it is palpable that in by far the largest portion of their extent the rules coincide; and that in respect of that portion in which they do not, the contest, with one solitary species of exception, has always been rested upon the effects in some shape of suffering or the contrary, on the sentient creatures that were concerned. If, for example, it was ever contended that it was a moral act for a man to kill and eat his father, it was supported on the ground that it was for the happiness of society and of themselves, that men on arriving at a certain stage of decrepitude should be put out of pain, and that it was a mark of respect for their sons to eat them. There may be doubt whether the reasoning was good; but there is none that this was the reasoning. And the same in other cases.'—*Westminster Rev. No. XXIII, for Jan. 1830. Art. 'Greatest Happiness Principle.'* p. 246.

the inference they drew from it was, that a monitor which contents itself with telling men 'It is good to be good,' and leaves them to find out all the rest themselves,—is as good as no monitor. The dispute is merely about the inference.

Again, that men should be disturbed in mind when they know they have designedly done wrong,—especially when the misdoing is of a nature to bring upon them the enmity of mankind,—is nothing wonderful, nor anything that need be puffed off in gossamery phrase as 'a voice issuing from the deep recesses of a moral nature.' This is all 'hay, straw, stubble;'—the stuff which it is the first object of an able instructor, to consign over to hireling preachers and fashionable parsonets. It is rigmarole of this kind that brings the professors of religion and morality into low esteem, and sinks them below the general level of scientific men. And this is not to be redeemed by a tinkling eloquence, or by the faculty of pouring out tropes and figures with an occasional flash of something like brilliant display. Men suspect it all, hate it; what they want is something plain, distinct, nervous, practical. They want to know why men should not steal, nor covet their neighbour's wife nor anything that is his, and what appliances and motives they may address to other men to diminish the prospect of these evils falling upon themselves;—and not to be told of 'monitors,' and 'mistresses,' and 'mechanisms,' and 'harmonies,' and 'tablets,' and 'prior tablets,' and 'categories,' and 'psychology,' and 'the abstract,' and 'the concrete,' and 'the supremacy of her own unalterable obligations.' Man was sick

'Of reveries so airy; of the toil  
Of dropping buckets into empty wells  
And growing old in drawing nothing up.'

And least of all did he expect to have been carried back to the beggarly elements of the heathen master of talk, quoted in p. 95 as 'the noble testimony' of 'equal eloquence and truth.\*'

If the author had said that the fact that man was enabled by the use of his natural faculties (without excluding revelation, if this be established to the satisfaction of the same faculties,) to inform himself concerning the course of conduct to be pursued by him on earth, was in itself an exemplification of the intelligence, power, and benevolence of the Divine Being;

\* 'Est quidem vera lex, recta ratio, naturæ congruens, diffusa in omnes, constans, sempiterna, quæ vocet ad officium jubendo, vetando à fraude deterreat; quæ tamen neque probos frustra jubet aut vetat, nec improbos jubendo aut vetando movet. Huic legi nec obrogari fas est, neque derogari ex hac aliquid licet, neque tota abrogari potest. Nec vero, aut per senatum aut per populum solvi hac lege possumus. Neque est querendus



he would have kept within the bounds of reason and demonstration, and would have done a substantial service in his generation. But he manifestly wants an uncreated light of Mount Tabor, or something like it. He wants to load the truth as it is in Locke, with some unknown quantity of tinsel after the manner of the middle ages, and then to claim to have enhanced the splendours of the sanctuary. God's goodness is not good enough for him; but he must have a little supernatural gimcrack of his own, by way of doing honour to the Maker of the Universe.

These observations would have been much more completely supported, if there had been a possibility of quoting the whole of the Chapter 'On the Supremacy of Conscience,' or if it had been reducible to a moderate number of distinct heads. But it is diffuse and incompressible; and the fairest resource is to advise the reader to read it for himself.

The next Chapter is 'On the inherent Pleasure of the Virtuous, and Misery of the Vicious Affections;' and if, as was said before, it had contained a simple illustration of the wise arrangement of Providence in making certain modes of action pleasing to the actor, and the contrary,—instead of speculations on 'the rectitude

explanator aut interpres ejus alius. Nec erit alia lex Romæ, alia Athenis, alia nunc, alia posthac; sed et omnes gentes, et omni tempore, una lex et sempiterna et immortalis, continebit; unusque erit communis quasi magister, et imperator omnium Deus ille, legis hujus inventor, disceptor, lator; cui qui non parebit, ipse se fugiet, ac naturam hominis aspernabitur, atque hoc ipso luet maximas pœnas, etiam si cætera supplicia quæ putantur effugerit.'

'This is in fact the true law, the right reason, consonant to nature, common to all men, invariable, everlasting, which calls to duty by its directions, and deters from wrong by its prohibitions; which moreover neither utters its directions and prohibitions to the virtuous, nor acts upon the wicked with the same, without effect. This law can neither be superseded, nor repealed either in portions or the whole; nor can parliament or people absolve us from its power. It neither wants expounder nor interpreter except itself. There is no difference in it at Rome or at Athens, this day or any other day; but it will be one everlasting and immortal law including all nations and all times; and the one common governor and as it were master of all, will be the Deity that was its author, arranger, mover. Wherefore any man that disobeys it, forswears his human nature and may be said to run away from himself; the very fact of which is the highest punishment, even though he should never suffer any of the other punishments which are apprehended afterwards.'—*Fragment of Cicero's Third Book De Repub. from Lactantius.*

A good specimen, how like an ancient flourish of words is to a modern one. Some phrases perhaps, may be suspected to savour of the preserver. The extract as a whole, appears to have been transferred from Sir James Mackintosh's *Discourse on the Study of the Law of Nature and Nations*.

of what is virtuous,' and the 'pleasure attendant on the sense of the rectitude of virtue,' and its being 'the office of conscience to tell us of its rectitude,'—it would have discharged an office of undeniable good citizenship. That it has not done this, needs not prevent extracting what is valuable. One forcible expression is found in it. The author says of such passions as rage, envy, and hatred, that 'of themselves they are unsavoury.' It is the first good thing in the book.

The 'important discrimination' taken from 'Bishop Butler in his sermons,' is a fallacy.

'He distinguishes between the final object of any of our desires, and the pleasure attendant on or rather inseparable from its gratification. The object is not the pleasure, though the pleasure be an unfailing and essential accompaniment on the attainment of the object. This is well illustrated by the appetite of hunger, of which it were more proper to say that it seeks for food, than that it seeks for the pleasure which there is in eating the food. The food is the object; the pleasure is the accompaniment. We do not here speak of the distinct and secondary pleasure which there is in the taste of food, but of that other pleasure which strictly and properly attaches to the gratification of the appetite of hunger. This is the pleasure, or relief, which accompanies the act of eating; while the ultimate object, the object in which the appetite rests and terminates, is the food itself. The same is true of all our special affections. Each has a proper and peculiar object of its own, and the mere pleasure attendant on the prosecution or the indulgence of the affection is not, as has been clearly established by Butler and fully reasserted by Dr. Thomas Brown, is not that object.'—I. p. 108.

The artifice is in taking the word 'pleasure' to mean only a *part* of the good consequences attendant on attaining an object of desire, and then stating triumphantly that the part is not the whole. In the case of food, the end desired includes the relief or cessation of the pain of hunger, and the pleasure of tasting besides. If a man incapable of swallowing through local injury, was fed through the pipe of a stomach-pump, he would feel relief from the pangs of hunger; and his object of desire would clearly be this relief, and not the naked dignity of having a pint of gruel within his stomach. The distinction urged in the extract, is neither a 'subtle' nor a 'substantial' one. It is a piece of hasty-pudding in a microscope; an obscure object magnified, and to no purpose. But it is enough if it can be brought to tell against what the author stoops to call after Stewart or somebody else, 'the selfish system of morals,'—meaning thereby the opinion of the Utilitarians, that things are good when they tend to happiness.

And here is the place to hold out to the admiration, not of the learned, but of men of common understanding in the crowded

walks of life, the profound unfairness, the absence of straight-forwardness and sincerity, with which the very small persons calling themselves 'metaphysicians' have undertaken to treat the principles of Bentham and his followers. The metaphysical philosophers beat about the bush for ages, in search of virtue, rectitude, and the fitness of things; and with no profit to any man, for the simple reason that they could never tell other people what it was they were talking of. Bentham stood up, and upon the strength of his own reflexions and many hints imperfectly followed out in gone-by times, said straight forward, 'Virtue is such conduct as increases general happiness.' There is no use in debating where he might have seen anything like it; but whether he saw it or not, he took up the principle, and by unwearied diligence brought it into the first ranks of controversy, as its enemies can testify. The opponents said, 'But there is no *motive*.' The respondents produced a motive, for they said 'It is capable of demonstration, that in all cases within the common track of life, the prospect of happiness to an individual is vastly greater from following the course that increases the general happiness, than from any other. *Motives* are for something of which the exit is unknown; for even if it were asked what was a man's motive for any action past, his motive must have preceded the action. Strange questions of casuistry, may be settled afterwards; but here is at once a motive for all common uses, which make 999 thousandths of the whole.' Upon this, the people who had asked for a motive, said 'That is a motive that acts upon a man's *self*'; and what acts upon a man's self is *selfish*. We must have a motive for a man, that does not act upon himself; we cannot hear of a motive, that shall act upon a man's self.' And upon this extreme folly, this wretched and discreditable pun, did Stewart (unless somebody can be found to relieve him of the undignified paternity) build the objection since bandied about by men of the same calibre, with apparently no suspicion whatever of its profound infirmity. Will Dr. Chalmers point out a motive, which by any the remotest possibility can act upon a man without acting upon *himself*? Will he discover and give the slightest intimation, of one that shall act upon a man by dint of acting upon somebody else? If not, let him by all means fall down in penitence before the public, and vow that he will never make or copy a pun again during his philosophical existence\*.

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\* For the benefit of foreigners, *self* in English (from the German *selb*) has the sense of *même* in conjunction with a personal pronoun; as *lui-même*. *Selfish*, happens to be *égoïste*.

Nevertheless it is done and cannot be undone. It stands here and *will* stand, that the Utilitarian system is rejected of the metaphysicians, because its motives act upon a man's *self* and not upon somebody else. There was not the slightest plea, pretence, or excuse, for saying the Utilitarians had narrowed the circle of motives, or confined them within the limits of what in English without a pun is denominated 'selfish.' Take the most romantic and far-fetched motive that imagination can devise; and all they said of it was, that it must act upon the man's self and not upon somebody else. Instead of trying to narrow men's motives, they applied themselves with all their might to bring forward, elucidate, and strengthen, that particular class of feelings which is connected with the feelings of other people, under the title of 'sympathy.' They said 'Cultivate by all means, cherish and extend to the utmost of your power, the habit of rejoicing with other people's joy, and sorrowing with their sorrow; for God has given you this feeling, for the express purpose of binding you all together in one common league of mutual good.' They did it to such an extent, that the disingenuous enemy who with one side of his mouth said the Utilitarians were 'selfish,' with the other side and in the same breath was accusing them of discarding the homelier claims on human feeling,—*Cosmopolitism* is the word,—and encouraging themselves to care for all manner of Jews and Greeks, Cretes and Arabians, dwellers in Egypt and in the parts of Libya about Cyrene, as the apostles did. They were the people of all others, who said, 'Self by himself is a pig. As you would not be a pig in a sty, exercise yourself daily and hourly in doing all the good you can to others; and you will find how marvellously God by the constitution of natural things has wrought this up with your own happiness, so that if it were necessary for the good of your fellow-creatures that you should give your body to be burned, you shall be at no loss to conceive how it should be at least possible for a man to prefer the sacrifice.' And they made no exclusion of ulterior motives. If it was proved that penance and flagellation would effect a greater weight of happiness in another world, they were ready to acknowledge penance and flagellation to be moral duties; all they stood upon, was to require the proof. The sincere believer in a future state of rewards and punishments, had no more necessary quarrel with Utilitarianism than with the First Book of Euclid; on the contrary, it was a system ready made to his hands, which he was at full liberty to apply in any direction his belief and charity should suggest. If Christianity laid its sanctions on any new duties,—as for instance of the

class called duties towards the Creator,—these, by the very definition, became part and portion of Christian Utilitarianism. There might be sceptics who were Utilitarians, but there was not the smallest reason why Utilitarians should be sceptics. The cry of scepticism therefore, was a mere vulgar bugbear, an ill name, a term of abuse, got up to try to put down something that was going further into the truth of things than was agreeable to the users. There have been individual exceptions; but there appears to be something in the existence of a *caste* of go-betweens for man and his creator, that is utterly opposed to an aggregate community of interest with the remainder of their species. Good men cannot resist it; talented men cannot keep clear of it; or the subject of the present article would not have been found fighting against human knowledge under the banner of a misnomer.

Think only if instead of taking this unhappy course, he had applied his peculiar powers, to what an extensive party whom it is neither here nor anywhere intended to speak of with disrespect, would call *evangelizing* Utilitarianism. Suppose he had said, ‘God wills your happiness, and *here* is the surpassing evidence and proof. Your happiness is all; show me what is for your happiness in this world and the next, and I will show you what is pure religion and undefiled, morality, virtue, praise. We follow no obscure shadows; preach to you no vain janglings; use no words of which we cannot render a reason. We call on you to labour to make one another happy here, and to look forward to enter together into the joy that is unspeakable.’ Look on this portrait and on the other; and judge which would have most exalted a Christian divine.

Compare next the value of the Utilitarian's results, with those of the feeble and wordy tribe who under the fantastic title of modern ‘metaphysicians’ are puffed off for the world's applause. Not that these last have done nothing; for the mere attempt and pursuit of knowledge is to be held in honour. But whom have they converted, whom have they turned from the error of his ways, what bad man have they alarmed with the prospect of consequences, what good man comforted by showing him that the road he took, though unsuccessful, was the road he must in common policy take again if the circumstances were repeated? What government have they checked by demonstrating that nothing is politically wise that is morally wrong; or raising up a standard against oppression, by referring national law to the happiness of nations? Where have they strengthened the hands of the feeble, or blunted the talons of the strong? Where have they made a single man love peace, or cherish war

only as the means of resisting the despot and the barbarian? Let the world see some trophies of this kind; and then think of weighing Bentham against the whole staff and army of the modern metaphysics.

Nevertheless, it is difficult for a man to keep down the goodness that is in him. Such a passage as the following might atone for much that is servile, and much that a very slight inquiry might have demonstrated to be untrue.

‘But besides the pleasures and pains of conscience, there is, in the very taste and feeling of moral qualities, a pleasure or a pain. This formed our second general argument in favour of God’s righteous administration; and our mental constitution, even when viewed singly, furnishes sufficient materials on which to build it. But the argument is greatly strengthened and enhanced by the adaptation to that constitution of external nature, more especially as exemplified in the reciprocal influences which take place between mind and mind in society: for the effect of this adaptation is to multiply both the pleasures of virtue and the sufferings of vice. The first, the original pleasure, is that which is felt by the virtuous man himself; as, for example, by the benevolent, in the very sense and feeling of that kindness whereby his heart is actuated. The second is felt by him who is the object of this kindness—for merely in the conscious possession of another’s good will, there is a great and distinct enjoyment. And then the manifested kindness of the former awakens gratitude in the bosom of the latter; and this, too, is a highly pleasurable emotion. And lastly, gratitude sends back a delicious incense to the benefactor who awakened it. By the purely mental interchange of these affections there is generated a prodigious amount of happiness; and that, altogether independent of the gratifications which are yielded by the material gifts of liberality on the one hand, or by the material services of gratitude on the other. Inasmuch, that we have only to imagine a reign of perfect virtue; and then, in spite of the physical ills which essentially and inevitably attach to our condition, we should feel as if we had approximated very nearly to a state of perfect enjoyment among men—or, in other words, that the bliss of paradise would be almost fully realized upon earth, were but the moral graces and charities of paradise firmly established there, and in full operation. Let there be honest and universal good-will in every bosom, and this be responded to from all who are the objects of it by an honest gratitude back again; let kindness, in all its various effects and manifestations, pass and repass from one heart and countenance to another; let there be a universal courteousness in our streets, and let fidelity and affection and all the domestic virtues take up their secure and lasting abode in every family; let the succour and sympathy of a willing neighbourhood be ever in readiness to meet and to overpass all the want and wretchedness to which humanity is liable; let truth, and honour, and inviolable friendship between man and man, banish all treachery and injustice from the world; in the walks of merchandise, let an unfailing integrity on the one side, have the homage done to it

of unbounded confidence on the other, insomuch, that each man reposing with conscious safety on the uprightness and attachment of his fellow, and withal rejoicing as much in the prosperity of an acquaintance, as he should in his own, there would come to be no place for the harassments and the heart-burnings of mutual suspicion or resentment or envy : who does not see, in the state of a society thus constituted and thus harmonized, the palpable evidence of a nature so framed, that the happiness of the world and the righteousness of the world kept pace the one with the other?—I. p. 171.

This might have been in Bentham. Can any man doubt that the writer of it had in his heart to say, ‘Almost I am persuaded to be a Utilitarian.’

To conclude, as a treatise, the treatise is not done in a workman-like manner. Dead men are not always the best served ; but they ought to be served better than this. There is scarcely a single thing of mark in the work, that is not said three or four times over ; it is no injustice to say, that if the legacy had been reduced in proportion, it would have been cut down to something under three hundred pounds. This is hardly fair between man and man. Some old nest eggs have been whipped into an omelette, and *soufflée* till it attained the magnitude required. Is it so easy a thing to make a reputation, that it should be treated thus inconsiderately ?

ART. II.—1. *Ship Amherst. Return to an Order of the Honourable the House of Commons, dated 17th June, 1833 ;—requiring, A Copy or Extract of any Despatch which may have been addressed by the Court of Directors of the East India Company to the Supracargoes at Canton, in reference to the Voyage recently undertaken by the Ship Amherst to the North-East Coast of China ; together with a Copy of any Reports or Journals of the said Voyage. Ordered, by the House of Commons, to be printed, 19 June 1833.*

2. *The Anglo-Chinese Kalendar and Companion.*—Macao. 1832.

THE first direct intercourse between Europe and China, took place in the year 1517, when the Portuguese, nineteen years after their arrival in India, sent a fleet to Canton and an ambassador to Peking ; and the first commercial intercourse with the English, took place in 1634. European intercourse therefore has existed with this vast portion of the globe, which contains far more inhabitants and far more industry than all the rest of Asia put together, for more than three centuries to very little purpose ; and the trade of Great Britain, when the charter expires next year, will have been exactly two centuries locked up in the dis-

graceful thralldom of a pernicious monopoly. Ever since the partial opening of the Indian trade in 1814, the way has been in course of preparation for opening the more important intercourse with the Chinese empire. The British capital and enterprize which have been poured into India, during the last twenty years, have in fact, overcoming all difficulties, found their way indirectly into China, and produced their wonted effects,—increased activity, increased knowledge, and increased liberality. The free commerce of the United States of America, which will have preceded our own by exactly fifty years, has also most essentially contributed to the same happy results. The official account of the Exports and Imports of the Port of Canton, at an interval of 13 years, is exhibited in the following succinct table.

|                         | EXPORTS.  | IMPORTS.  |
|-------------------------|-----------|-----------|
|                         | 1817.     | 1830.     |
| East-India Company..... | 2,611,846 | 2,672,005 |
| Free Trade .....        | 3,606,135 | 6,796,465 |
| Total .....             | 6,217,981 | 9,468,470 |

Notwithstanding the dead weight of the Company's trade, there is here 50 per cent added to the whole commerce, in a very short period of years, and the free trade in reality nearly doubled. Since 1814, a very considerable number of European merchants of various nations, and of Americans, have settled in Canton; and the actual number at present exceeds one hundred and twenty altogether, exclusive of the East-India Company's factory. Within the last few years, two English newspapers have been published at Canton; annexed to each of which are copious and useful Price Currents; and there is printed annually, the Anglo-Chinese Kalendar and Companion, which, replete with useful practical information, supplies the following brief but accurate and comprehensive view of the statistics of the Chinese empire. The little work alluded to contains an abstract of the census of the population of China, taken in the year 1813, which may be considered as setting at rest the long disputed question respecting the populousness of that empire. With the assistance of the map of the Missionaries, the following table has been prepared, describing the relative situation, the area, the absolute population, and the relative population, of



each of the fifteen great provinces into which the empire is divided.

| PROVINCES.                     | Latitude<br>of their<br>Capital<br>Cities. | AREA<br>in square<br>Statute<br>Miles. | POPULATION. |              |
|--------------------------------|--------------------------------------------|----------------------------------------|-------------|--------------|
|                                |                                            |                                        | Total.      | Per<br>Mile. |
| Pechely .....                  | 40° N                                      | 59,700                                 | 27,990,871  | 468          |
| Keangnam (two divisions) ..... | 32                                         | 85,000                                 | 72,011,560  | 347          |
| Kiansi .....                   | 29                                         | 72,000                                 | 30,426,999  | 422          |
| Fokien .....                   | 26                                         | 57,150                                 | 14,777,410  | 258          |
| Chekeang .....                 | 30                                         | 37,200                                 | 26,256,784  | 705          |
| Houkouan (two divisions) ..... | 31                                         | 168,300                                | 46,022,605  | 273          |
| Honan .....                    | 35                                         | 62,000                                 | 23,037,171  | 371          |
| Shantung .....                 | 37                                         | 56,800                                 | 28,958,764  | 510          |
| Shansi .....                   | 38                                         | 63,500                                 | 14,004,210  | 220          |
| Shensi (two divisions) .....   | 36                                         | 167,700                                | 25,562,131  | 150          |
| Sechuen .....                  | 31                                         | 175,600                                | 21,435,678  | 122          |
| Canton .....                   | 23                                         | 97,100                                 | 19,174,030  | 197          |
| Kouansi .....                  | 25                                         | 87,800                                 | 7,313,895   | 83           |
| Yunan .....                    | 25                                         | 131,400                                | 5,561,320   | 42           |
| Kweichow .....                 | 26                                         | 51,200                                 | 5,288,219   | 103          |
| Total                          |                                            | 1,372,450                              | 367,821,647 | 268          |

The population of China Proper, or the population consisting of the proper Chinese race, amounted then, twenty years ago, to 367,821,647; which, enormous as it appears, gives for the area of the country no more than 268 to the square mile;—a density not equal to that of our own country, or of several other countries of Europe. The reader, by casting his eye over the table and comparing it with the map, will see how this immense mass of human beings is distributed, and hence will be able to speculate on what portions of the country are likely to afford the greatest commercial resources. The most densely peopled provinces are those of the east; lying either upon the sea coast and abounding in harbours, or situated in the great alluvial plains of the principal rivers. All the great rivers of China running from west to east, it follows that the western portions of China are for the most part hilly; consequently barren, and in most cases thinly peopled. One great province, bordering upon the country of the Birmans, Tonquinese, and Siamese, has so low a rate of population as 42 to the square mile. Lying towards this quarter, even the province of Canton,—the best known to Europeans, and supposed by them to be so populous,—is found, on account of its mountainous and sterile character, to contain less than 200 inhabitants to the square mile; a ratio much

inferior to that of the British possessions in Berghal. But the population of the Chinese empire now given, is that of China Proper only. In Tartary and other dependencies, there is a further population, which is stated at 2,203,654; making the total, in round numbers, 370 millions.

The amount of the Chinese general taxes levied in money, is ten millions sterling, and the value of those levied in kind, is about two millions; making in the whole about twelve millions sterling, which is under 18 pence per head. This, however, is not the whole amount of Chinese taxation; it is only what is remitted to the Imperial treasury, after deducting many local and provincial charges.

After this general view of the Chinese empire, many more particular details are furnished by the interesting, instructive, and curious narrative of the voyage of the ship *Amherst*. The circumstances which led to this voyage of discovery, for so it is, were as follows. Mr. Marjoribanks, one of the Company's Supracargoes, had just returned to Canton from England, after being appointed Chief of the East-India Company's affairs; and projected a voyage of discovery, the object of which was, to find out new elements for commerce, and to ascertain the practicability or otherwise, of carrying on trade with the sea ports of the three great wealthy provinces of China which lie north of Canton. In England, Mr. Marjoribanks had given evidence before the Select Committee of the House of Commons on the affairs of the East-India Company, not of a very liberal cast, and with a strong bias towards the wishes or interests of his particular employers. His European training appears to have liberalized him; for the voyage was undertaken in the perfect spirit of liberality, as is sufficiently evinced by the open hostility of the East-India Company to the object. The persons entrusted with the mission, were Mr. Lindsay, one of the Company's Supracargoes, a gentleman who in the execution of a most difficult mission, appears to have evinced throughout a degree of temper, skill, talent, and knowledge of the Chinese character, entitled to the highest commendation; and Mr. Gutzlaff, a Prussian missionary, a very remarkable man indeed, and whose selection does great credit to the liberality of his employer Mr. Marjoribanks. Mr. Gutzlaff had not only acquired an admirable knowledge of the written language and oral dialects of China; but recommended himself to the people by his skill as a physician, while in his intercourse with the Mandarins, he exhibited the adroitness of a skilful diplomatist. A few passages from the narrative of Mr. Lindsay, while they contribute to portray the Chinese character, will

show how much the success of the mission was indebted to Mr. Gutzlaff.—

‘The point which seemed to puzzle them most [*the Mandarins*], and indeed give them most uneasiness, was hearing foreigners converse in their own language, and show some knowledge of their local institutions and geography; it was, however, decided among them that Mr. Gutzlaff was a Chinese from Amoy, and one of them asked me in a confidential way to confess that their surmise was true. I took some trouble to explain to him that far from such being the case, the gentleman had only been six years out of Europe, and previously to that was perfectly unacquainted with the language.’—p. 18.

Again,

‘On parting, I thanked the tetuh for the friendly disposition he had personally shown towards us, and said that I should feel highly honoured if he would visit our ship, as he had never been on board a foreign vessel. He politely thanked me, and declined the offer; but Paou Tajin again interfered, and said, “I view your ship and yourselves with equal contempt and anger;” and then turning to Mr. Gutzlaff, he said, “I know you to be a native of this district traitorously serving barbarians in disguise.” A higher compliment to this gentleman’s knowledge of the language could certainly not have been paid.’—p. 24.

But the most conclusive testimony in favour of this gentleman’s talents and usefulness is contained in the following passage.—

‘but I should be guilty of great injustice if I omitted strongly to express my sentiments of the great advantages which have been derived from the services of Mr. Gutzlaff, to which I consider we were greatly indebted for the extraordinary degree of respect and friendship shown to us by all classes of Chinese. Since the first day of our arrival gratuitous medical assistance and medicines were freely given by him to all who applied for them, and during the three weeks we were at this place rarely a day elapsed in which more than 100 patients did not profit by his humane labours. The fame of this circumstance spread far and near, and in some instances attracted persons from the distance of more than 50 miles. In many cases of wounds and cutaneous disorders his practice was very successful, and it was most pleasing to behold the gratitude demonstrated by these poor people for their cure.’—p. 45.

The adventurers, supplying themselves with some merchandise, such as broad cloths, camblets, calicoes, and cotton thread, commenced their voyage on the 29th of February, 1832, in the ship *Amherst* of Calcutta, manned as usual with *Lascars* or Indian seamen, and having a European commander and officers only; and they returned to Canton on the 5th of September in the same year, having therefore been absent six

months. In the course of their voyage, they visited one or more ports of each of the four great maritime provinces of Canton, Fokien, Chekeang, and Keangnam, being the countries which produce the teas, nankeens, raw silks, camphor, and cassia, which constitute the staple exports of China, and which among them contain the amazing population of 132 millions of inhabitants. They also visited the island of Formosa, a colony and comparatively recent conquest of China, attached to Fokien, and which furnishes corn to that mountainous, but populous and industrious province. They touched at the extreme point of the peninsular province of Shantung, between the 37th and 38th degree of latitude, in the same climate with Greece; and afterwards proceeded to the tributary countries of Corea and Loo-choo, holding some intercourse with their timorous and semi-barbarous inhabitants.

There will now be presented such extracts from the narrative of the voyage as will convey the most instructive view—of the character of the Chinese government and its officers—of its military and naval character—of the character of the Chinese people—of the appearance and state of the country—and of the prospects which exist of opening and carrying on trade; with such parts of the country as are at present sealed up against all intercourse with distant nations.

The government of the Chinese is that of foreigners, attempting to carry on the *civil* administration at least, by means of the natives of the country and by native laws. The present Tartar dynasty effected the conquest of China from a native one, 190 years ago, and owing to the decline of the warlike character of the invaders, seems gradually to have been losing its energy with each of six successive monarchs down to the present time. It is a mixed government, in which the elements are terror, weakness, jealousy, and compromise. The following curious extract, giving the conversation of a Mandarin of rank, at Ningpo, in the province of Chekeang, is strikingly to the point.

‘In the evening we were again visited by our two friends. The conversation principally turned upon trade; and Ma appeared rather anxious to be relieved from the necessity of aiding us, alluding to the danger he would incur if discovered. I also expressed my regret at being obliged to dispose of our goods clandestinely, instead of trading in a legal manner; and Ma then said; “ta-tsing, kwo-ting le-puh-taon,” the fixed laws of the Tatsing dynasty are not good; a strong assertion for a mandarin of rank to make; but from the way he proceeded to prove it, no one could contradict his statement. “Only consider,” said he, “the system of injustice which is carried on; at Fuh Chow, mandarins were degraded for your entering the river;

here it is likely to be the same ; if they were to oppose you, and an affray take place, they would be punished more severely. In your last embassy, Ho Kung-yay, Duke Ho, and many other mandarins of the first rank, were punished and degraded for treating your ambassador with contempt, whereas they only executed their orders." He also uttered a severe philippic against the tortuous policy of the civil mandarins in general, especially the taou-tae and che-foo ; he told us that the tetuh and the latter had come to high words on our account, and that the che-foo had returned to Ning-po ; and that the tetuh did not dare to follow the impulse of his own wishes, which would lead him to come and see us and our ship, and treat us with the greatest kindness. Ma finished by saying, in a jocular way, that he was tired of being a mandarin, and had a great mind to come away with us, and go and see our country. I recommended him to get made ambassador, and sent to London, where he would amuse himself well. A breeze having sprung up, we took him on shore in the launch, and he promised to induce the tetuh to come on board as soon as our mercantile affairs were settled. Ma tried very hard to extract from us that we were sent here on some special mission, and alluded to four other ships which were said to be outside, asking us if they were our friends. This, I have no doubt, was a mere fabrication, or else one of the hundred vague reports which are spread about on shore respecting us.' —p. 59.

The military character of the Chinese is at an ebb inconceivably low. The despotism of three thousand years has absolutely emasculated them of every military virtue. Nothing else can account for the comparatively easy subjugation of so vast a country as China, twice over, by feeble hordes of Tartars ; and above all, for their having allowed those barbarians to maintain their conquests. But the conquerors themselves have, by long intercourse with the conquered, become nearly as enervated and as unwarlike as the latter. The travellers had abundant evidence of this. Take the following for the first sample. It describes the temporary capture of an admiral's ship, the dispersion of her crew, and the cutting of her cable by four English mariners, who for arms had just two axes among them and no more.

'It would needlessly swell the pages of this Report, were I to enter into a minute detail of the progress of our intercourse with the people of this place, particularly as I propose doing so more at length in future ; but I must not omit to make mention of one purely accidental, though singular, occurrence, which, in my opinion, has been mainly conducive to the facilities we met with here in our trade ; and it is also curious, as exemplifying, in a degree which will scarcely be credited, the extreme cowardice of the Chinese navy, and the terror with which they regard European seamen.'

'During the night of the 27th the admiral's junk shifted her station,

and anchored so close to our bow as to endanger the safety of our vessel, as it was blowing a strong gale of wind at the time. I hailed her in the most civil terms, requesting that they would immediately shift their berth, or we must get foul of each other, and at the same time we fired a large gun to arouse them. Having repeated these warnings several times in vain, and the vessels being every moment in peril of touching, I hailed again, saying that if the junk did not move directly, I would send and cut her cable. To this the only reply was appeals to us their elder brethren and good friends, and a promise to move by-and-by. The tide having now made strong, the junk's stern came foul of our jib-boom, and then, at the very moment when they should have held on, they commenced veering away the cable, by which unseaman-like manœuvre they carried away our jib and flying-jib booms, and seriously damaged some of our sails and rigging, while our bowsprit tore away her mizen and part of her stern frame. She now dropped alongside, and having already demolished our gig, she let go another anchor as close astern of us as she had been ahead.'

'In the meanwhile, in order, if possible, to obviate this mishap, our launch, with ten men and two officers, had been sent to cut the junk's cable. There were no arms whatever in the boat, except two short axes. Our launch arrived alongside at the moment the junk let go her second anchor, and Mr. Simpson, the second mate, and the gunner, jumped on board with axes in their hands, followed by Mr. Jauncey and another man, totally unarmed. On seeing them come on deck, the Chinese crew, in number 40 or 50, were seized with such a panic, that one simultaneous rush was made forward: some ran below, some over the bows, several went head-foremost into the water, and our party of four were left in possession of the junk. The only person to be seen on deck was the admiral and his personal servant, both of whom seemed in the greatest state of alarm. Mr. Simpson now quietly cut the cable as directed, and returned on board. I will not now offer any comment on this singular scene, further than to repeat the plain fact, that four men, two of whom were unarmed, thus took undisputed possession of the vessel of a Chinese admiral, and that during several minutes they were on board, not an individual was to be seen, except the ta-jin himself, and that all his gestures were to implore mercy from an imaginary injury; for our object was to extricate him, as well as ourselves, from the consequences of his ignorant and unseaman-like behaviour. This trifling *fracas* was unattended with any unpleasant consequences, nor did it in the least interrupt the friendly intercourse with the mandarins; on the contrary, it appeared to increase the estimation they held us in, and one very satisfactory result was, that from that day no war-junk ever anchored within half a mile of us (excepting when they came to trade.) The three spars destroyed by the admiral's junk were replaced before our departure by order of the civil mandarin of the district.'—p. 36.

The following extract, which describes the defeat of the boats of fifteen Chinese men-of-war by the launch's crew of the ship

Amherst, without any other arms than 'some sticks and spare tillers,' is exceedingly edifying.

'This day a trifling dispute occurred between ourselves and the boats from the men-of-war, which, had it been carried further, might have offered a serious interruption to the friendly footing on which we have hitherto been with all parties. In the afternoon, I proceeded with Captain Rees in the long-boat about a mile up the river, with the specific object of ascertaining whether there was water enough for ships to lie at anchor conveniently there. To do this we had to pass a line of about 15 war-junks, which were anchored close to each other right across the river, their object apparently was to prevent our ship from passing them. A considerable degree of jealousy and apprehension had always been manifested whenever any of our boats entered the river and passed beyond the usual landing-place leading to the town, and we consequently rarely went beyond that place, nor should I now, had I not considered it to be an object of some importance to ascertain whether there was good anchorage for large ships higher up. We accordingly went straight up, and passed the line of junks, although many boats pushed off in all directions to bar our way, but having a fine breeze in our favour, we were enabled to get a-head of them all. We now sailed about a mile a-head of the junks, and the result of this examination proved, that the anchorage here is fully as good as that of Whampoa, the river being nearly half a mile in breadth, with seven fathoms on a mud bottom, close to the shore, and eight or nine in the centre. On returning, with a beating wind and fair tide, we found that the boats from the war-junks had mustered very thick, and appeared inclined to offer rudeness to us. One of them, a large heavy boat, with about 20 men, ran her bow right on our beam, and sprung one of our timbers; others came up and clung to our sides with their boat-hooks, in spite of our remonstrances. I attribute this conduct, so different to what it had been on former days, to our having neglected the salutary precaution of carrying arms in the boat, which fact they must have ascertained while two of their boats were alongside of us for a few minutes when entering the river. Seeing, however, that in spite of mine and Mr. Gutzlaff's appeals, no less than 15 or more boats had surrounded us, and some of the sailors and low mandarins appeared inclined to board our boat, it became necessary to take some decided measures to prove that we would not submit to such aggression; we therefore armed ourselves with some sticks and spare tillers which happened to be in the boat, and with them drove away several low tseangs who had forcibly entered our boat; in doing this two low mandarins with gold buttons were thrown overboard into the water. There appeared now every prospect of a serious affray; several of the boats around us had arms in them, but none were used. On seeing that we were determined to resist any attempt at force on their part, their demeanour suddenly changed, and Ma, with several other mandarins of our acquaintance who were present, and had appeared among the foremost in directing the boats to grapple us, now used their utmost exertions to assuage the tumult,

loudly ordering all the boats instantly to depart. I, on our side, aided by Captain Rees, stopped the shower of stones which our Lascars had been liberally distributing in all directions, and quiet was restored. Ma now came, and with his wonted urbanity expressed great regret at the trifling misunderstanding which had taken place, assuring us that not the slightest injury was intended, and endeavoured to lay the blame on the rudeness and awkwardness of the sailors.—p. 61.

It is quite amusing to observe the *sang froid* with which the voyagers, after a certain experience, speak of breaking the line of a Chinese fleet, defeating the boats of a whole squadron, and sousing two dignitaries of the Empire in the water.

Of the punishments inflicted upon the private soldiery of the Chinese army, the voyagers furnish no examples, although it is not improbable they are, in point of refinement and severity, equal to our own. They do however give an example of the punishment of an officer, who could not have been of less rank than that of a captain or major, considering the post he commanded. The following is the case in question.—

‘In the course [of the journey] we had witnessed a curious instance of the severity of military discipline in China. A mandarin, whose cap with a gold button was borne before him, was marched about in procession between two executioners blindfolded, with a small flag on a short bamboo, pierced through each of his ears; before him was a man bearing a placard with this inscription :

“By orders of the general of Soo and Sung; for a breach of military discipline his ears are pierced as a warning to the multitude.”

‘After being paraded along the bank he was taken round the different war-junks, and then on board the admiral’s vessel. We subsequently heard that his offence was having allowed our boat to pass the fort without reporting it.—p. 82.

The voyagers found the character of the Chinese officers, as might well be expected, insolent and domineering when not opposed, and equally cringing and obsequious when effectual opposition was offered to them. Their character is admirably portrayed by Mr. Gutzlaff in the following remarks.

‘Our sudden appearance on the coast transfused general terror. We endeavoured to silence their fears by the most positive declarations that we merely came to trade. Nothing could equal the cringing servility which most of the mandarins showed whenever we came in contact with them. If they were men of probity, it would have been very painful to our feelings to see them degraded on our account; but the same men would be humble and arrogant, just as it suited their purposes.’

‘The mandarins were everywhere anxious to get us away, and to



send us to other districts which were not under their jurisdiction. From Fuh Chow, they recommended us to go to Ning-po; from Ning-po they directed us to go to Cha-poo or Shang-hae; from Shang-hae they tried to send us back to Cha-poo, Ning-po, or Soo Chow, or advised us to go to Kaon Chow; from Shan-tung they entreated us to go to Manchow Tartary. This their friendly advice was frequently given in the open assemblies by superior mandarins.'

'We have seen these mighty rulers undisguised. We lament their utter want of good faith; at the same time we must highly praise their readiness to comply, when they have no alternative but to yield. It is the greatest prudence that strangers at Canton are excluded from any intercourse with the mandarins, for they would lose all their influence as soon as they came in nearer contact; and even their most specious edicts would lose their power if the author was known to the reader. They will do everything if their self-interest is concerned; and this ought to be always the quarter where they are to be attacked.'—p. 14.

The character of the people at large, was found by the voyagers everywhere favourable. The following passage is a striking example of it; premising that the affair in which the populace deemed the gallant adventurers 'quite right,' was that of cutting the Admiral's cable and driving his crew into the water, already alluded to.

'On the following morning, the 28th, a numerous deputation of the elders came from the village of Hoo-keang, where we were so hospitably entertained on our arrival, bringing with them the annexed paper, which was read out loud by Mr. Gutzlaff, on the quarter deck. I record it as a pleasing testimony of the effect produced by the distribution of our books, particularly the Ying-kwo, the fame of which has spread greatly, and almost the first request of our visitors is to be favoured with a copy. The remark in this address on the character of their rulers I confess surprised me much, till the daily repetition of such sentiments from all classes of people, convinced me not only of the unpopularity of the government, but also that the people dare give utterance to their grievances. Our visitors were very curious about last night's affair; and on being told, their delight was extreme, and the general remark was, "You are quite right; our mandarins are rogues, but the pik-sary, 'the people,' are your friends."

"We, the inhabitants of this village, have never yet seen you foreigners, (foreigners, not barbarians). All people crowd on board your ship to behold you, and a tablet is hung up therein, stating that there is a physician for the assistance of mankind: there are also tracts against gambling, and other writings, besides a treatise on your country, with odes and books; all which make manifest your friendly, kind, and virtuous hearts. This is highly praiseworthy; but as our language differs, difficulties will attend our intercourse. The civil and military mandarins of the Fokien province, together with their soldiers and satellites, are unprincipled in their disposition. If you wish to

trade here, wait upon his Excellency the Foo-yuen; prostrate yourselves, and ask permission. If he complies, you may then do so; but if he refuses, then go to the districts of Loo and Kang, and there trade; for in that place there is neither a despot nor a master. When you have fully understood this, burn the paper."—p. 36.

How like is one country to another;—‘*Our mandarins are rogues—*’!

The following passage, which describes the reception given to the adventurers on the island of Tsung-ming, is of an equally agreeable character with the last.

‘After walking about three miles, gathering companions like a snow-ball, we arrived at the town, which is long and narrow: it has some very respectable houses and shops, among others one attracted my notice, which announced in large characters that it sold Company’s camlets and broad cloth; but on inquiry, I was told that they had none of these precious commodities at present, but merely kept the characters on their sign to look respectable. We saw apricots in abundance in the fruit stalls, and purchased some, being the first I have seen since leaving Europe; they were small, and without much flavour, but resembling those of England. Having walked through the town, about half a mile long, attended by a great concourse of people, and looked into various shops and houses, we returned as we came. The friendly demeanour of these simple people, who now for the first time in their lives beheld a European, surpassed anything we had hitherto witnessed; and there being no mandarin in the place, no artificial check was placed to the natural friendly impulse of their hearts. Having observed that the apricot pleased us, numbers came to us offering the finest they could select. On all sides we were requested to bestow a copy of the pamphlet, of which we distributed about 20, and a crowd was immediately formed round the possessor to read it. On our return, we were escorted by at least 300 people of all ages, many of whom offered and begged us to accept presents of fish and vegetables, and anxiously expressed a hope that we should return another day. One fine boy, of about 12 years, was so anxious to make Mr. Gutzlaff some present, that having nothing else, he took a neat bamboo carved comb, with which his hair was fastened, and gave it to him. On meeting a wheelbarrow, it was proposed to me to take possession of it, as a conveyance back to my boat, but I preferred my legs. On returning, the country people from all quarters had gathered to see us pass, and by the time we reached our boat, at least 600 people were assembled, and all seemed to vie which should be the most kind and friendly. Such is in general the true Chinese character when removed from the influence and example of their mandarins, and such are the people from whose violence they pretend such great anxiety to protect us.’—p. 82.

Many parts of the country were found by the voyagers highly populous, rich, and cultivated. Thus, on the way up the

river Woosung to the great commercial emporium of Shanghai, in the fertile province of Keang-nam, in about the latitude of  $31^{\circ}$ , there is the following sketch of the aspect of the country and the employment of the people.

‘The river, for the first six or eight miles, runs in a south and south-east direction; after leaving Woosung, the depth varies from eight to three fathoms, and the stream is about three quarters of a mile wide. The country is one dead flat, very much intersected with dykes and ditches: it is richly cultivated, and bears much resemblance to Holland. The tide turning against us when about eight miles up the river, we anchored and went on shore. It was just the period of the wheat harvest, and the whole population were actively employed gathering it in. The land appears divided into small portions, for we observed at each cottage the women and children were employed thrashing and winnowing their portion of wheat as it was brought in. A great deal of cotton was also cultivated, this being the most celebrated district in China for that commodity.’—p. 74.

The description of the same part of the country is continued in another place as follows.

‘We frequently landed at some distance from the town, purposely to avoid our escort, and never met with anything but the greatest friendliness on the part of the natives, who, on the contrary, were always much more cordial and frank in their manners when we were alone. The whole country in this vicinity is dotted over with small villages, surrounded with trees in every direction. The population appears very great, but the natives are healthy and well fed: wheat, in the form of vermicelli and cakes, forms the principal part of their food. Whilst we were staying here, the land from which the wheat had just been cut, was ploughed up, irrigated, and again planted with rice, which would be cut on the ninth moon (September), a proof of the extraordinary fertility of the soil. The winters are said to be very severe, and that the snow sometimes lies several feet deep for more than a month. Ice is kept in great abundance throughout the summer, but is principally used for the preservation of fresh fish. Each family appears to cultivate a small portion of ground with cotton, which I here saw of a light yellow colour. The nankeen cloth made from that requires no dye. In every cottage were the requisite implements for carding, spinning and manufacturing the cloth sufficient for their own use, the remainder they sell. In several I saw the whole process in action at the same time, and took specimens away of the yellow cotton, both in its rough state and after being manufactured into cloth. The price for a piece is from three to four mace, the nankeen cloth from Shanghai is said to be the best in the empire.’—p. 80.

The appearance of the alluvial island of Tsung-ming, belonging to the same province of Kiangnan, and lying between the 31st and 32nd degree of latitude, is thus described.—

‘We landed up a small creek, where a junk was lying, and walked

straight in-shore. The natives at first were shy and timid of us, but were very soon re-assured ; and a fine intelligent little boy gladly undertook to show us the way to a town called Sin-kae, or Sin-kaou in the dialect of the place, distant about three miles. The ground appeared rich, and cultivated with rice, cotton, millet and vegetables. It was intersected in every direction with dykes, which serve the double purpose of draining the land, and irrigating it when requisite. The people do not live in villages, as is usual in most provinces of China, but hamlets ; and single houses are scattered about in every direction. The population appears immense ; but the natives are healthy and vigorous, most having a fine ruddy complexion. Wheelbarrows of a peculiar structure are in common use both for conveying the produce of the soil, and also for the accommodation of travellers : they have a large wheel in the centre, which is covered, and the goods are stowed on each side of it. We met a respectable man travelling, on one side his portmanteau was stowed, and on the other he was comfortably seated on a felt mattress.—p. 81.

The island here described is about sixty miles long, and from fifteen to eighteen broad ; containing therefore an area of about 1,000 square miles. The population is estimated at 400,000 ; which makes the density amount to 400 on the square mile, a vast population for a district merely agricultural.

Of the wealth of the country, the most accurate notion may be collected from the description given of the four cities visited by the adventurers, viz. Amoy and Fuh-chow in Fokien, Ning-po in Chekeang, and Shang-hae in Keang-nam. These are in fact, with Canton, the great ports for the foreign trade of China, and from which the tea and raw silk are exported to foreign countries ; the districts producing these articles being situated within the provinces to which the ports respectively belong.

The following are the descriptions given of Fuh-chow and Shang-hae, the first the capital of Fokien, and the second the largest place of native foreign trade in China, and now for the first time visited by Europeans.

‘ The principal trade of Fuh-chow-foo appears to be carried on with the neighbouring province of Chee Keang, numerous vessels of which place were lying in the river, and daily entering and quitting the port ; they are distinguished by their peculiar build, which fits them only for coasting vessels, and their black cloth sails. Wood and timber of every description appear the principal articles of trade. Tobacco is also exported in considerable quantities ; but tea, which is the staple produce of this part of the country, it is not legal to transport by sea. The cause of this prohibition is evidently an apprehension that, were it permitted, foreigners would avail themselves of it to get their supply without coming to the port of Canton for it.’

' I endeavoured to ascertain the population of this town, but the accounts I received were so vague and exaggerated that no confidence could be placed in them ; some stated it as high as 800,000 : I should think somewhat less than one half the more probable amount ; but in point of local and commercial advantages, few cities of the empire are more favourably situated than Fuh Chow. The fine river Min, which is navigable for ships of the largest burthen to within 10 miles of the town (perhaps nearer), runs into the very centre of the Woo-E-Hills, from which the finest black tea comes, the expense of conveying which overland to Canton greatly enhances its value. Fuh-chow is also a far more central situation than Canton for the distribution of British woollen manufactures, which would also be here in greater request from the coldness of the climate. In the latter point, however, some of the more northern ports, such as Ning-po or Shang-hae, have much greater advantages than Fuh-chow.'—p. 34.

Mr. Lindsay's description of Shang-hae and its commercial advantages is as follows.—

' As this is the first time the emporium of Shanghae has been brought under the immediate notice of Europeans, some few remarks on it may not be inappropriate. Considering the extraordinary advantages which this place possesses for foreign trade, it is wonderful that it has not attracted more observation. One of the main causes of its importance is found in its fine harbour and navigable river, by which, in point of fact, Shanghae is the seaport of the Yang-tse-keang, and the principal emporium of eastern Asia, the native trade of it greatly exceeding even that of Canton. On our first arrival I was so much struck with the vast quantity of junks entering the river, that I caused them to be counted for several successive days. The result was that in seven days upwards of 400 junks, varying in size from 100 to 400 tons, passed Woo Sung, and proceeded to Shanghae. During the first part of our stay most of these vessels were the north country junks with four masts, from Teen-tsin, and various parts of Manchow Tartary, flour and peas from which place formed a great part of their cargo. But during the latter part of our stay the Fokien junks began to pour in, to the number of 30 and 40 per day. Many of these were from Formosa, Canton, the Eastern Archipelago, Cochin China, and Siam.'

' The river\* Woo-sing comes out of the Tahoo (the great lake), at Chang-kean-kow, it then traverses the Yun-ho, or great canal, and thus communicates with the Yangtse-keang, the Yellow River, and Peking ; thence it enters the Pangshan Lake, and flows by Soo-chow-

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\* ' All the geographical information relative to the course of rivers, &c. has been extracted from the Ta-tsung-kwang-teen, which contains a general statistical and political account of the empire ; these I have compared with the manuscript Atlas Sinensis, in the Company's Chinese Library, and have, in most instances, found them to agree.'—*Note in the Original.*

foo, the capital of the southern part of Keangsoo, one of the most commercial, wealthy, and luxurious cities of the empire. From this place numerous navigable rivers communicate and traverse each other in every direction. Thus it appears that this river affords a commodious water communication with the remotest parts of the empire, from Peking to Yunan, from the eastern coast to the centre of the deserts in Tartary. The advantages which foreigners, especially the English, would derive from the liberty of trade with this place, are incalculable. Woollen manufactures are now only admitted by inland transport from Canton; and the various exactions and necessary expenses attendant on its conveyance, render them unattainable by the mass of the population in the interior; and from the coldness of the climate in the northern provinces, woollens would naturally be in much higher estimation in them than in the comparatively warm climate of Canton, did equal facilities exist for their introduction.'—p. 87.

With respect to the extension of European commerce to other Chinese ports than that of Canton to which it is at present confined, it is very clear that there exists now no obstacle whatever, except what arises out of the fears and jealousy of the Chinese government. The people are able and willing to trade. The Mandarins are desirous to see European trade, and disposed to wink at it. The government alone considers its safety implicated in prohibiting it, and will continue to prohibit it or pretend to prohibit it, in the same manner as it now pretends by periodical acts to suppress the trade in opium. Mr. Lindsay makes the following observation.

'The main object of the voyage was the acquirement of general information, and I hope it will be considered that the result has satisfactorily established two points, both of some importance, one, that the natives of China in general wish for a more extended intercourse with foreigners; and, secondly, that the local governments, though opposed to such a wish, yet are powerless to enforce their prohibitory edicts.'—p. 88.

The truth is, that such a trade already exists, in the clandestine commerce which is carried on among the islands at the mouth of the river of Canton. There, ten or twelve vessels, the greater part of them English, are constantly lying at anchor, and either by the connivance or in defiance of the Chinese authorities, carrying on an open and extensive commerce. In opium alone, the value of the imports at present probably exceeds 3,000,000*l.* sterling. Below is given the amount and value of the trade in this single article for two periods, and it may be safely asserted that since the Indian trade was opened in 1813, its actual value has been more than quadrupled.

| Year.    | Chests. | lbs.      | £.        |
|----------|---------|-----------|-----------|
| 1817-18  | 3,680   | 527,773   | 845,921   |
| 1830-31  | 18,760  | 2,599,013 | 2,795,006 |
| Increase | 15,080  | 2,071,240 | 1,949,085 |

But the trade thus conducted is very far from being confined to the article of opium. Every other article that can be conveniently smuggled, is also traded in; and in the printed price currents of Canton the prices of commodities are quoted, either at Canton with the duties paid, or deliverable at the anchorage of Linting without the duties. There cannot be the slightest question, but that the free-traders of this country will in a very short time after the opening of the trade, be established in the ports of Amoy, Fuh-chow, Ningpo, and Shanghai; indeed, along the whole coast of China, up to the head of the Yellow Sea, wherever there may exist conveniences for conducting it. It is not the Chinese that have excluded us; we have been excluded by our own absurd and impolitic laws. The following passages from the Journal of Mr. Lindsay, in fact, leave no doubt of such a result.

‘The following morning we had another long conversation with Ma and Sun, who came to conduct us on shore to an audience with the tsetuh. We conversed on trade, and Ma was urgent that the ship should move out a little way, and then, he said, my wishes might easily be complied with; to exemplify his meaning clearly, he took a pencil and wrote the following sentence: “If your honourable ship moves outside, the merchants can trade with you, but now the mandarins, both civil and military, are assembled here, and the merchants dare not come out; but so soon as your ship has moved, the mandarins will go, and the merchants can come. We cannot call them ourselves, because we are mandarins of the Ta-tsing nation, and dare not clandestinely break the laws; but we can shut our eyes, and then we shall know nothing about the matter.”—p. 56.

The whole character of the Chinese government is laid naked in the reply of this clever mandarin. The opinion of a Chinese merchant on the same subject, is contained in the following paragraph.

‘To conclude, [says Mr. Lindsay,] I must candidly confess my extreme regret that my ignorance on this topic should have disqualified me from attaining much useful and valuable information on the subject of tea, which might have been attained had any one possessed of the requisite knowledge been on board; for the anxiety of the people

to induce me to enter into agreements to purchase tea from them was great, notwithstanding the law which prohibits any shipments of tea by sea, even in native junks. One of the most respectable merchants, who was in the habit of visiting the ship, writes to me in these terms : " But I have formerly asked you, why does not your honourable ship go out into the open ocean ? I have already told you I only wait to know the place where you will go, and I shall take tea on board my vessel, and transport it without interruption. As regards tea, it is somewhat scarce at present ; but if you have confidence in me, and will transact the business secretly, and inform me by letter beforehand, then there will be no difficulty in supplying you not only with 10,000 catties of tea, but with any quantity you may desire," (literally, ten millions of peculs.) The letter concludes with saying, " If you are really desirous of purchasing Congo tea, I wish to provide you with some, exchanging every pecul for an adequate quantity of opium," (even to the last day it was almost impossible to persuade the merchants that we really had no opium for sale.) This was the person from whom I obtained four chests of Chop Hop Chune, and he was very desirous of supplying us with 200 chests of the same quality, but, for the reasons above stated, I declined purchasing any more. The tea in general use among the natives in the district where we were is a description of green tea, of which No. 6 was a muster\* : it is called Leen-keang, from the adjoining leen of that name, where it grows. It is a pleasant-flavoured tea, but not having undergone the proper process of firing, would probably not keep to England.

' The river Min, which although in magnitude may seem but insignificant in comparison with several of the vast rivers which traverse the empire of China and a great portion of Asia, yet, in real utility and mercantile importance, will contest the palm with any of them. Its three principal branches take their rise, one in the district of Kee-chow-foo, in the neighbouring province of Che-kiang, and after passing through the country of the Woo-E-hills, in Keen-ning-foo, whence comes all the finest black tea, it joins with the other two branches, which have their origin among the mountains of Keang-se, and taking a serpentine course through the foot of Yin-ping, Ting-chow, Shacn-woo, and Yung-chuun, they join the other river a little before it reaches the capital. Had we therefore the liberty of trading here, the tea, which is now brought at a vast expense to Canton, might be conveyed in boats from the very farms where it is cultivated on board the ships. All the green tea grown in Che-kiang and Keang-nan would also find a comparatively easy transit by this route, although Ning-po is perhaps the port which presents the greatest facilities for the trade in raw silks and green teas. The great national advantages which would be derived from the permission to trade with this place are so obvious as hardly to require any comment. In the mere item of difference in expense incurred between transporting the tea to

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\* The Anglo-Indian vernacular for 'sample.' The word is Arabic *mishtar*, and means something to draw lines by, a model.—Editor.



Canton and to Fuh-chow-foo, a saving of nearly four tales per pecul on 150,000 peculs, or 600,000 tales, would be annually made.'—p. 44.

What a horror—to think of taking tea on board ship from the very farms where it is cultivated ! Would it not be as bad as allowing foreigners to load sugar at Jamaica ? Will men never learn, that all the absurdities on earth, must stand or fall by one another ?

Mr. Lindsay's opinion of the mode in which such a trade will be conducted, is given in the following terms.—

'As regards the probability of establishing foreign trade at Fuh-chow-foo, the experience which I have there attained has led me to form the following conclusion : That, under present circumstances, an avowed permission is not to be expected from the Chinese government, and that it will be invariably refused when requested as a favour, but that a tacit sanction, and indeed connivance, will readily be extorted from their weakness, provided ships remain outside the port, in which case the government can make out any account they please to transmit to the Emperor. Some management will be required by the first ships which come there, to steer a course which will both keep the mandarins at a respectful distance and at the same time conciliate the good will of the people. This will remove one great source of uneasiness to the local government, lest affrays and homicides should arise between the natives and foreigners, which must then necessarily involve the mandarins. Nothing, however, will be more easy than to continue and improve the mutual good understanding which prevailed during the whole period of our stay ; it is only when the Chinese see the foreigners insulted and despised by their rulers that they also habitually treat them with equal disrespect, and thus a sort of national antipathy is created, which indeed it is the main object of the Chinese government to promote. At Canton they have succeeded too well ; let us hope that when the time arrives in which foreigners are again allowed to frequent other parts of China, circumstances may be different ; for when we are respected by the government, I have no hesitation in saying there will be mutual good will between all classes of Chinese and English. I therefore believe, that even in opposition to the expressed permission and authority of the Chinese government, a sort of forced trade, both in opium and all descriptions of British manufactures, similar in many respects to the trade which was carried on between England and the Spanish colonies before their independence, may be established and maintained at Fuh-chow-foo, and that in a short time it would be connived at, and form a source of revenue to the local government on the same footing as the trade at Linting.'—p. 44.

There can be no hesitation in agreeing with Mr. Lindsay in the opinion which he has expressed, that the voyage was eminently successful in three results,—the acquisition of useful information,

the ascertaining that the natives of China were desirous of an extended intercourse with foreigners, and that such intercourse might be carried on in defiance of the local administrations who have not the power to prevent it. As a commercial speculation the voyage was a failure; and considering the parties with whom it originated, the servants of the East India Company, it could hardly have been otherwise. Out of a cargo estimated by Mr. Lindsay at 80,000 Spanish dollars, it does not appear from his own report that one-eighth part ever was disposed of; and with the exception of a little bullion and a little tea, no return cargo whatever was obtained. The causes of this failure are obvious. In the first instance, Mr. Lindsay and his companions were in a false position; they dared not assume so unpopular a name among the Chinese, as that of the East India Company, and were obliged to feign themselves to be private traders. Mr. Lindsay himself explains the deception which he was under the necessity of practising, in the following terms.—

‘ We had several interviews with the commanders of the war-junks, both on board their own vessels and the *Lord Amherst*. I was requested to inform them the name of the captain, wherefore we came there, and whither we were going, that they might make an official report on the subject. In giving this information, I thought it right to bear in mind the instruction I had received, to avoid giving the Government any intimation that I was acting in the employment of the Company; I therefore gave the following report in writing, with which they professed themselves perfectly satisfied: “The ship is of the English nation, from Pang-ka-la (Bengal); her complement is 70 men; she is commanded by Hoo-Hea-Me, and is bound for Japan.” This report, though true in some respects, yet certainly gives no clue for the Chinese to trace the ship. She is from Bengal, and at the period I wrote this it was anticipated that Japan would be comprised in the voyage. As it is probable we shall have frequent communication with Chinese authorities, I thought it best to style myself the Chuen-choo, or commander of the vessel; and as my own name would be known in Canton, I substituted for it my Christian name of Hugh Hamilton, which I rendered into Chinese by Hoo Hea-me.”—p. 16.

Notwithstanding this disguise, it is perfectly clear that the voyagers were suspected for spies throughout. It ought to be recollected that a few months before the sailing of the mission, a violent quarrel had taken place between the Company’s Factory and the Chinese authorities at Canton, and that it was publicly known that the former had actually demanded assistance from the Governor General of India. At Ning-po, Mr. Lindsay himself furnished them with the information contained in the following paragraph of his report.

'The following morning several messengers were sent from the che-foo to make inquiries from us on various subjects, principally relative to various parts of the pamphlet on England, which appeared greatly to have excited the attention and curiosity of all. Explanation as to the subjects of grievances complained of at Canton, and regarding our Indian possessions, which we alluded to as nearly bordering on the Chinese empire, were the topics on which most questions were asked, and all the replies which appeared important were taken down in writing. This anxiety for information gave us an opportunity, of which we gladly availed ourselves, of detailing the various commercial grievances and national insults to which we are subject from the local government of Canton. The points we principally urged were the illegal extortion of duties, by which the imperial tariff is in many instances doubled and quadrupled. The heavy port charges, and other extortions as to compradores, which now bore so severely on ships of a small size as to prevent their entering the river of Canton at all, and had compelled us to come up to Ning-po to seek for more just and equitable treatment. The varied and harassing system of insult and annoyance which has been for years systematically pursued by the Canton government, and which was so greatly at variance with the kind and benevolent disposition expressed by the Emperor as a guide for the treatment of foreigners. We finally gave them a clear explanation of the outrages committed by the foo-yuen in May 1831; and when eagerly questioned as to the probable result, we stated it to be uncertain, but that the governor of our Indian empire had already sent ships of war to seek for redress, if possible, by conciliatory measures; and that if refused, it was generally supposed a fleet would be sent to China to demand satisfaction, and to retrieve the honour and national character of our country.'—p. 51.

It is plain from the following remarkable passage, that there was no convincing the Chinese that they were any better than spies notwithstanding their protestations to the contrary.

'Ma [a mandarin], who daily visited us, and with whom we had long conversations, began also to show symptoms of a wish to relieve himself from the necessity of assisting us. His opinion, which he on repeated occasions frankly confessed, was, that we came here, not for trade, but to gain information; and that we were sent on a special mission for that purpose. In order to remove that idea from him, I this day took him down into the hold, and showed him the bales, which he professed to have convinced him, but it was evident his suspicions remained the same. I was this day remonstrating with him on the illiberal suspicions with which our countrymen were everywhere treated in China, and received this candid reply:—"I will explain it to you. We are afraid of you; you are too clever for us. For instance, no sooner does a ship of yours arrive, than out go your boats in all directions, you sound, you make charts, and in a week know the whole place as well as we do. Now some Coreans were wrecked in this neighbourhood last year; they were placed under

no restraint, but were allowed to go everywhere, and were finally sent home through the provinces. We do not fear them ; they are stupid, they look at things, but observe nothing." I argued, that though we perhaps had more observation than the Coreans, that it was not with any ulterior views beyond trade, and that our country had no wish to aggrandize itself at the expense of his Emperor. Let him only feel persuaded of that, replied Ma, and permission to trade would readily be granted. In the afternoon several merchants from Ning-po visited the ship, examined our goods, but made no positive offer ; they promised to return in a day or two.—p. 60.

The suspicion alluded to, while it roused the vigilance of the Chinese, enabled the voyagers to carry matters with a high hand ; but at the same time contributed to defeat the mercantile object of the voyage.

Another circumstance which contributed to the same end, was the absence of opium from the investment. This arose out of the most absurd and offensive foolery that can well be imagined. Opium is a contraband article, according to the laws of China ; and, by the same laws, its consumption, in any shape or form, is illegal and criminal. Notwithstanding this, three millions worth are annually consumed, of which the East India Company furnish at least two-thirds, growing it for the express purpose of smuggling it to China, and deriving a revenue of about a million sterling from the exclusive growth and sale of the article. The Company, however, will not be the direct instruments of smuggling the article into China, out of sheer respect for the laws of the empire, and for this they take to themselves great merit, which may be held to be of the same kind that a vender of poison is entitled to who profits by the sale of his drugs, while he seduces subordinate hands to administer them. The Jesuitism of this is alike ridiculous and mischievous. Conformably, however, to this maxim of policy, there was no opium shipped in the *Amherst*. For ten years before, small British and other European vessels had traded, with the same ports of China, quietly and profitably, merely because they had opium ; but, of these precedents, no advantage could be taken on the present occasion. The want of opium was consequently felt, from the first to the last moment ; and the absence of it excited a constant suspicion of the object of the mission.

'The hope of buying opium, however, was the attraction which drew all the merchants to the ship. It was in vain for us to deny our having any, asserting that we came here desiring to trade legally, and therefore could not bring a contraband article : such an argument appeared to them ridiculous ; and most of them left us convinced in their mind that a want of confidence in them, or some other cause,

prevented our openly confessing the truth that we had come there for the purpose of selling the drug.'—p. 60.

Another objection to the mercantile success of the voyage arose from the commercial ignorance of Mr. Lindsay and his companions. Mr. Lindsay confesses, in terms very honourable to his frankness, that both himself and every man on board the *Amherst* were totally ignorant of the qualities of tea; that is to say, ignorant of the staple product of China, and the product for which almost exclusively the East India Company's factory was maintained. Mr. Lindsay was at the time he undertook the voyage, a supercargo of twelve years standing, and was one of between thirty or forty officers that for a great number of years back have been a charge on the nation equal to at least 100,000*l.* per annum, and who during the currency of the present charter will have cost that nation a round sum of two millions. Let the reader fancy to himself the factor of a corn-merchant at Dantzic or Odessa ignorant of the quality of corn; or the agent of a timber-merchant, who after a dozen years residence at Memel or Miramichi, could not distinguish between red pine and white, or discriminate between a spar and a plank, and he will be able to form a competent notion of the mercantile accomplishments of the gentlemen composing the Company's commercial factory at Canton. A passage has already been quoted in which Mr. Lindsay avows his ignorance of the tea-trade; but another shall be produced to put the matter beyond all doubt. At Fuh-chow he might have purchased any quantity of tea he thought proper, and a variety of musters were brought for his inspection. But says he,—

'A difficulty here presented itself, which finally proved an insurmountable obstacle against entering into any speculation of this sort: neither myself nor any person on board the ship was possessed of any knowledge or experience as to the quality and relative value of the teas which were submitted to our inspection; and after some fruitless endeavours to establish what their real value should be, I finally gave up all idea of attempting to purchase any of the finer description, but told some of those who had tendered tea, that if they would bring down a few chests of good strong ordinary tea, at about twenty dollars a pecul, I would then be enabled to decide whether I could enter into agreements with them for a large supply.'—p. 43.

Mr. Lindsay finally contented himself with carrying away some musters. But says he,—

'The musters which I received were all put in glass bottles, which I considered the best mode of preserving them, though I have subsequently found that tea thus packed invariably spoils.'—*Id.*

Had Mr. Lindsay prudently taken instructions from some of his ancient female relatives before quitting England, he certainly never would have thought of putting congo into case bottles. Yet Mr. Lindsay is a man of sense and intelligence, and seems to understand how every subject that comes in his way ought to be treated, tea alone excepted.

Before ending, a word or two must be said to the East India Company. The voyage of the ship *Amherst* is unquestionably the most public-spirited and intellectual proceeding that ever emanated from their factory in China. Of course they disapproved of it; and no wonder, for the whole results are in the direct teeth of the sophistry and garbled testimony, by which for the last four years they had been attempting to prove that it was good for the nation to pay a double price for a scanty supply of tea,—to have its manufactures excluded from China,—and to let the East India Company nestle in the enjoyment of the commercial patronage of two empires.

‘Our records [say the Company] afford abundant testimony to the anxious desire we have invariably manifested to discover new channels for commercial dealings with the Chinese; but we have, at the same time, felt all the responsibility which rests upon us in the discreet and judicious exercise of the privilege with which the East India Company have been invested, a privilege not conferred upon or exercised by them for their own interest exclusively, but likewise for the benefit and advantage of England and of India.’—p. 3.

It is wonderful that with their dying breath they should utter such absurdities. Their records, so far from showing what they assert, show the very reverse of it. They show that the supply of tea is, in proportion to the population of the United Kingdom, considerably less than it was twenty years ago. They show that within the same time the exports of British produce and manufactures to China have fallen off from a million sterling per annum to much less than one-half of that amount. They show that the total trade of the East India Company with China has been stationary for the last twenty years, while the private trade between India and China has been doubled in the same period and is at present nearly three times as great as the Company’s entire trade put together. Finally, the same records show that the nation has been taxed during the currency of the present charter to the extent of 40,000,000*l.* sterling, in consideration of this monopoly which by the Company is modestly stated to have been exercised not for its own exclusive interest ‘but likewise for the benefit and advantage of England and of India.’

But the great objection urged by the East India Company

is directed against a certain exercise of the liberty of the press. There had been drawn up at Canton by Mr. Marjoribanks, and translated into Chinese, a paper entitled 'A brief account of the English character.' Some copies of this tract were taken by the mission ship and distributed to the Chinese wherever the voyagers went, with the best possible effect. At Ning-po, says Mr. Lindsay,—

'Every one entreated for a copy of the pamphlet on England, the fame of which spread like wildfire.'—p. 51.

At Shanghai, the same solicitude was exhibited.

'I distributed pamphlets and trading papers in all the shops, which both the people and mandarins showed the greatest anxiety to receive; and while walking through the crowd we were on all sides assailed with entreaties for a copy of this little work, the effect of which upon the minds of the people, wherever we have been, perfectly surprised ourselves.'—p. 78.

All this, of course, was wormwood to the haters and persecutors of the Indian press. The conduct of the author of the pamphlet is reprobated, in the approbation bestowed on their champion, a Mr. Davis, who, according to them, very properly recorded his opinion on the impolicy and impropriety of such uses of the Chinese press. This sage, it appears, attempted to prohibit Mr. Lindsay from distributing the pamphlet; but Mr. Lindsay, happily for the success of the mission and the credit of the English character, disregarded his prohibition. As to Mr. Lindsay himself, the Court visit him with the following thunderbolt of the mock heroic.

'We should have considered that Mr. Lindsay had acted with great impropriety in taking any of the papers with him, after the clear intimation made to him by Mr. Davis, even had he adhered to his intention of confining the distribution to Corea and Japan; but that he should have ventured, upon his own responsibility, to distribute it on the coast of China, appears to us to evince so great a want of deference to the authority under which he was placed, that we are only induced to abstain from visiting this direct violation of the orders of the President with the extreme mark of our displeasure, under a belief that he was actuated by a mistaken zeal in the execution of a duty which involved not only much difficulty, but was imposed upon him, as we have already remarked, without due discretion or deliberation.'—p. 6.

Think of the awful fact! Here is printing used upon the coast of China, to tell the people there are better governments than theirs. The Celestial Empire in a state of Jacobin fermentation for reform; and all through the East India Company! How will the tailor *Tsaou foo* rejoice, and the 'flood family' carry every-

thing before them. The Hong weeps, and Ching is wringing his hands; because they that 'tormented them that dwell on the earth' have come there also\*.

But the important use in Europe of this document, will be to bring it forward when it shall be desirable to annihilate any statement that may on a future occasion be made by the Company on the subject of India. Whenever that happens, let everything they say be believed *in contrariam partem*. How many millions have been thrown away, to enable these men to keep up a system of downright imposition on the public? In the mean time the Report of the Amherst's Voyage if printed by the dealers in cheap publications, would be almost as entertaining as Robinson Crusoe; and introduced on the stage as pantomime, might nearly rival in success the heroic drama of the Arctic Seas.

ART. III.—*Archæologia, or Miscellaneous Tracts relating to Antiquity*. Published by the Society of Antiquaries of London. Vol. 24. 1832.

**I**T is much to be regretted, that the information possessed of the state of our Island, during the period when it was an appendage of the Roman empire, so far as that information is accessible to the general class of readers, is of a very indefinite and confused nature. Little is known, even by those who have studied the history of the country with more than common diligence,—indeed little, with any high degree of certainty, can, at the present distance from the scene of action, be known by any,—of the nature of the political and municipal institutions which the Romans established here; of their religious and domestic policy; of the extent to which they amalgamated with the natives; of the manner in which that amalgamation was produced; of the influence of British habits, and of the climate, so different from that of Rome, upon the conquerors; and of the effect of their example and authority, upon the subjugated people.

In this nineteenth century it is too common to look back at the events which were scattered over several hundred years, and transactions which were performed within a wide range of latitude and longitude, as if they had occurred in rapid succession and close approximation. The accounts of interested

\* For the progress of political agitation in China, see the Article on the 'Transactions of the Royal Asiatic Society' in the Westminster Review for Jan. 1831.



historians, and the adulations of obsequious courtiers, are taken as historical authorities, without sufficiently allowing for the fact that 'the lion was not the painter.' This obscurity is increased by the manner in which men first become acquainted with English history. They read, as children, an elementary work upon the subject, from which they take their first and most lasting impressions; and the hue with which that early narrative is coloured, tinges the prospects of antiquity which their more advanced reading lays before them. In Baldwin's history of England, for instance, (which is perhaps the most accurate one which is put into the hands of children,) the Roman period of 400 years is found discussed in two pages, while six are devoted to the twelve years of Queen Anne. How can it be expected, even upon the principle of *omne ignotum pro magnifico*, that any other than a most inadequate conception of the relative importance of the two periods can be produced by such a compilation? And Hume,—whose history has unfortunately obtained by the elegance of the author's style, a celebrity of which its exposed inaccuracy and partiality must eventually deprive it,—dismisses the Roman period in eleven pages, and glides from Julius Cæsar to Claudius Drusus with an easy indifference to precision, and a total neglect of dates, which would be marvellous to his readers if not of too common occurrence for admiration.

Hume relates, that after Julius Cæsar had returned with his army into Gaul, 'he left the authority of the Romans more nominal than real in this Island.' What evidence is there that Julius Cæsar established any authority which existed in this country, even in name, after the last of his legions had taken their not unwilling departure from its shores? There is no historian of repute, who more than hints at such having been the case. Diodorus Siculus, Suetonius, and Eutropius mention his exploits here in terms from which they possibly may have been willing that their readers should infer, that he conquered the island and made it tributary; but they do not hazard their reputations by making any statements which really mean more than that he gained some victories, and imposed a tribute, (which never appears to have been paid), upon a few states. And Strabo confesses that the two invasions were productive of no lasting consequences whatever.

Three generations of Britons lived, and fought, and died, between the evacuation of the country by Julius Cæsar and the invasion under Claudius; but the reader is made to pass from the paragraph ending with A. C. 54, to the next which begins with A. D. 43, without a thought that if he possessed a

*British* chronicle, he would have, instead of this hiatus, pages of battles, revolutions, famine, pestilence, and all the other miseries by which it is necessary to reckon the chronology of barbarians. The flattery of Horace,—

‘ Præsens divus habebitur  
Augustus, adjectis Britannis  
Imperio,’

may be tolerated as a poetic license, but can never be received as authority for anything more than Augustus having talked about conquering the Britons. But Tacitus candidly admits, that Julius Cæsar appeared rather to have transmitted the discovery than the possession of the country to posterity; and Lucan broadly hints that his departure was a matter of necessity rather than of choice, and that the Britons were not always terrified by his frown, in the line ‘*Territa quæsitis ostendit terga Britannis.*’ The great reluctance which the Roman legions showed to make their second passage with him from Gaul, adds no little probability to the conjecture that the reception which he met with on his first incursion, was of a far less flattering nature than his commentaries are permitted to divulge. The internal evidence of the commentaries themselves, is also in favour of this supposition. Julius Cæsar admits, that the resistance to his arms was obstinate and bloody, and that, immediately after his first departure, maugre the treaty between the two powers, no British hostages were sent over to Gaul; and though, according to the positive assertion of Dion Cassius, the second expedition was undertaken with the determined resolution to conquer Britain and reduce the whole island to a Roman province, and Julius Cæsar declares that every obstacle which presented itself to his success was overcome,—yet it is impossible not to feel convinced that, in penning his own history, the imperial author has passed over in silence the substantial and valid reasons which compelled him to abandon his conquests, upon the terms of agreement to a tribute, of which he must have felt a mental certainty that not an *as* would ever find its way into the Roman treasury.

There is one passage of Tacitus, of frequent quotation, on the foundation of which probably more fanciful speculations and theories have been erected than on any other. It is his 21st chapter of the life of Agricola; where he states, that the winter which succeeded that general's second campaign, was employed by him in encouraging the natives, by private and public excitement, to build temples, courts of justice, and habitations, in order by infusing a taste for pleasure, to win

them from their rude, unsettled, and warlike state, to one of peace and tranquillity. That he was also attentive to provide a liberal education for the sons of the chieftains, and that his endeavours were attended with such success, that he raised an emulation among them to excel in the knowledge and use of the Roman language; which was followed by the adoption of the Roman dress; after which, the taste of the Britons degenerated into a love for vicious and enervating luxuries, baths, and sumptuous banquets. The statement in this chapter has been accepted as giving a correct idea of the influence of the Romans over the Britons during the whole of their rule in this country; when the utmost for which it ought to have been received as any authority, should have been the time which elapsed between A. D. 79 the second year of Agricola's government, and A. D. 97 when his life was written by Tacitus. The authentic information which can be gleaned from subsequent historians on these points is scanty, and confined to a few insulated topics; but a careful examination of the facts which have been transmitted by the Roman writers, and of those which the researches of antiquaries have made known, will render it at least very doubtful, whether English historians have had just grounds for attributing so much as they have done to the conquerors, in moulding the national character to the Roman model.

The policy which was pursued by the Romans in several of their territorial acquisitions, in order to unite them permanently with the empire, was to change as much as possible the religion, laws, and language of the Aborigines, for those of Rome. In Eastern Europe, the same policy may be seen in full operation, for a similar purpose. Russia, in order to extinguish the Polish nation, and to extend the Muscovite dominions into the heart of the continent, is now pursuing every plan in her power to destroy the national distinctions, — political, religious, lingual, and educational, — between the Poles and the Russians. The Poles are treated as a conquered tribe; and in the conduct of this northern 'Pater Patriæ,' the worthy representative of Slavonic humanity, may be traced most accurately the plan by which the '*Mater omnium gentium*' cemented together the provinces which formed her vast, and eventually unwieldy empire. But the farther from Italy the provinces were, the less was the inducement to the Romans to pursue that policy with vigour, and the smaller the chance of success in attempting it; and the inducements would further be much lessened by the insulated situation of Britain. There can be no doubt that the extirpation of the

Druidical religion was energetically attempted by the Romans ; but how far with success, and to what extent the temples which Agricola is said to have induced the Britons to erect were destined for the worship of the Roman Gods, may be fair subjects of speculation.

The strong hold of Druidism, the island of Mona, was, it is true, ravaged by the soldiers of Paulinus, Severus, and Agricola ; and the sacred groves which according to the Druidical precepts were the principal national temples, were utterly destroyed. But as the Druids,—using the word in the extended sense, including all the hierarchy attached to the Druidical system, as well as the *Faidhs* and *Bardhs*,—had acquired an almost unlimited power over the British laity ; it cannot be concluded that the mythology of the Druid was speedily succeeded by that of the Roman.

There are, it is true, many remains of Roman altars in the country ; but these have been principally found in places which are known to have been either Roman cities, or military stations, or settlements by the sides of the military roads. The existence of these altars may be accounted for by the fact that there was always a standing army in Britain of native Romans, and their unmixed descendants of the military caste, seldom fewer in number than 20,000 men ; and that there were numerous proprietors of the land who were Romans, either by birth, or by descent more or less pure. But where are the remains of Roman temples ? None are known, which were not in some large Roman settlement. There is reason to believe that Christianity had made no great progress among the Britons until the persecution in which St. Alban figured as their proto-martyr, probably about the commencement of the 4th century ;—and yet all the diligence of the most persevering antiquaries has been unable to discover any traces of temples from which it can be concluded that the religion of the mass of the people had, between the middle of the first century and the commencement of the fourth, become a different one from that of their forefathers. From the high state of preservation in which are found the monuments known to be Roman, their altars, and inscriptions,—it would appear to be morally certain, that had there ever been Roman temples for the common use of the Britons scattered over the country, every trace of them could not now be absent. Gildas indeed asserts, that the ruins of Heathen temples, with the remains of their images, existed in his time ; but he adds nothing to induce the conclusion that these temples were not used by the Romans and their descendants alone.

How far the Courts of Justice were built to answer a demand for their use, or whether they were erected in expectation of future wants, is not to be known. The Roman law was considered the law of each province as it was acquired; and little if any respect was paid to the laws of the conquered people. In the process of time, but not until some generations after the death of Tacitus, the principal Roman stations, exclusive of some small forts scattered in different parts of the country, consisted of two civil and seven military colonies, and two municipal and ten Latian cities. In these and their immediate vicinity, the Roman power may reasonably be supposed to have been at its greatest height. The remaining towns, which were called stipendiary, were probably mere villages.

The Druidical priesthood comprized the historians, poets, lawgivers, and judges of the people, as well as their priests. All probability is in favour of the supposition that, as the Britons adhered with strong prepossession to their original faith, they would also cling pertinaciously to the system of jurisprudence which was grounded on, and formed a part of that faith. The constant testimony which the Roman historians afford, that for a long period the Britons were merely nominally a portion of the Roman people, is further confirmatory of this. Tacitus says that the Britons submitted to levies, tributes, and the other services of government, if they were not treated injuriously; but that they bore harsh treatment with impatience, 'their subjection only extending to obedience, not to servitude.' During the reigns of Nerva and Trajan, notwithstanding the Roman boast that Agricola had given the finishing blow to the liberty of the Britons, commotions are heard of in the island; and in the reign of Hadrian, within thirty years after the recall of Agricola, the Britons had so nearly mastered their conquerors, that the presence of the Emperor himself was required in order to accomplish the re-establishment of his sovereignty, and his exploits were deemed of sufficient importance to entitle him to the honour of being styled 'The Restorer of Britain.' During the reign of Antoninus, although some have attributed all the internal commotions in Britain to the incursions of the Picts and Scots, it may be collected from Pausanias and others that no less than seven British tribes were in a state of open revolt, and that the central parts of the kingdom were torn by intestine war, as they were again in the reign of Marcus Aurelius his successor. Under Commodus, Dion Cassius relates that all Britain was in danger of being lost, had not Ulpius Marcellus, a commander of great reputation, been sent over as governor. From that time until the

reign of Severus, the principal troubles were occasioned by the mutinous state of the Roman forces. Under Severus, the country was undoubtedly reduced to a state of great quiet, which may be accounted for by his immense army, without attributing any thing to the willing obedience of the people; and as it is stated that after the building of the wall, Severus 'concluded a peace' with the Britons, as well as the Caledonians, they must have possessed in reality some degree of independence. Constantine the Great appears by his conciliation of the Britons, and his endeavour to win them by consulting their happiness, particularly in religious toleration, to have succeeded in maintaining tranquillity during the earlier part of the fourth century; and if, as has been conjectured, he was born in Britain, and was the son of Helena the daughter of Coel, a British king, he may probably have been indebted to his birth and descent for the allegiance of the Britons, who would have regarded him with the same feeling of attachment which their descendants afterwards showed, for a somewhat similar reason, to Edward the Second. During the remainder of the Roman dominion, the natives were unable to resist their rulers. The flower of their youth were drafted to the continent; and those who were left capable of bearing arms, were fully occupied in resisting the attacks of the Picts and Scots, the Attacots, Franks, and Saxons, who simultaneously concurred in attempting to ravage this Roman province.

One of the main objects of the Romans in keeping this island in their hands, appears to have been to make use of it as Spain has done of South America, the Dutch and Portuguese of their eastern colonies, and the English of the East Indies. They made it a military college for their cadets, and a nursery for the fortunes of their more elderly spendthrifts. The Roman youth 'did duty' here, to get a title for military orders; and their seniors,—the *duces*, *comites*, *procuratores*, *præpositi*,—the *medici*, *scribæ*; *accensi*, *aruspices*, *præcones*, and all the inferior fry of hungry officials,—made use of Britain as their milch cow, as the Spanish grandees served Naples in the sixteenth and seventeenth centuries. Tacitus finds cause to praise Agricola as an exception to the rule, inasmuch as he did not content himself with merely killing time, after the manner of most, but exerted himself in gaining a knowledge of the country, and establishing the solid military reputation which led to his ultimate greatness.

Pliny relates that before the Roman times so much corn was raised in Britain, that the inhabitants had more than they could

consume, and were obliged to store it away in granaries formed in the cavities of rocks. That the demand was increased greatly under the Romans, is shown by the exportation of corn to their provinces on the Rhine, A. D. 359, when Zosimus states that the Emperor Julian employed a fleet of 800 sail for that purpose. Similar exportations on a smaller scale were constantly occurring to supply the Roman forces on the continent; and corn was also raised for the purpose of paying the taxes, which were assessed in that commodity. As the necessity for cultivating the land increased, the greater would be the extent of it which the Britons would clear from timber in the more fertile vallies, and the more desirable would it be to remove the towns from the higher stations to the banks of rivers. But still these improvements could not have affected the people universally; as a large proportion of them continued to the last, to lead a nomadic life, depending for their subsistence on their flocks and herds.

How far masonry and building were successfully practised by the Britons, is doubtful. The walls of Hadrian and Severus, though magnificent military works, were not the first of the kind which were known in this country. The celebrated Waudsdyke, extending from Maes-Knoll, below Bristol, to the Thames, in Berkshire, can hardly be considered an inferior fortification, when it is taken into account that the workmen who were its builders were the barbarians so despised by the Romans, and that they were unacquainted with the use of brick. The remains of the British and the Roman camps are easily distinguished. The British forts were generally placed on lofty eminences; while the Romans as commonly selected a gently elevated situation near some river, and sufficiently open on all sides to prevent any sudden surprize. The Romans built their camps in a regular form, square or oblong, with but slight ramparts, as they depended mainly on the valour of their legions; but the Britons cut many and deep ditches for their defence, and the shapes of their forts varied according to the irregularities of the hills on which they stood. There appears therefore, no great alteration to have been borrowed from the Romans in the practice of castrametation, each sort of fort being the best adapted for the service of its builders; though there is evidence, from the simplicity of their camp, of the higher discipline of the Roman armies.

The Barrows, so widely scattered over the country, rarely appear to have been raised by Romans. This is inferred from the articles which are discovered in them, among which there are none, with the exception of a few coins, which can be positively

ascertained to have been of Roman manufacture and use. Among the ancient Britons the burning of bodies was generally practised, and the ashes of the deceased were deposited in some vessel of earthenware which was buried in the centre of the funereal mound. Those found in the greatest number of barrows, claim a remote British origin. The Romans introduced a new species of pottery, beautifully moulded after the Grecian patterns, finely glazed, and richly ornamented; and as numerous fragments of this pottery, either the workmanship of the Romans or of their British imitators, are to be found in all the remains of the villages which may be called Romanized British, but not a single urn of similar manufacture in any of the tumuli which have been explored, the custom of burying in barrows must have become obsolete before the Roman invasion, except perhaps upon the occasion of a battle. A few barrows have been found in which articles referable to the time of the Danish invasions, were inclosed; and one in Devonshire, still called Hubbelowe, is known to cover the ashes of Hubba the Dane. In some of the stations are found the tombs of individuals, who were probably Roman functionaries of high authority; but research has been made in vain to discover the prevalent mode of burial among the British under the Romans. It may therefore safely be assumed that the sepulchral architecture of the Romans was not cultivated by the Britons to any extensive degree.

The formation of roads may be adverted to in connexion with architecture. Those of the Britons generally followed the high ridges of land, as was necessary from their habitations being situated on elevations. Their basis was the verdant turf; but some pains must have been bestowed upon their original formation, for in many parts their course is distinguishable at the present day. It is possible, for instance, to follow the original track of the Britons over the Wiltshire hills, and throughout the whole of the adjoining county of Berks. The Roman roads on the contrary, were invariably *tirées au cordon*, except where a mountain compelled a deviation; and, as much as possible, sought the lower levels. The sides were formed of large stones, the space between filled with broken stones and gravel, and the middle somewhat elevated. They were constructed, as is learned from the Roman writers and coeval inscriptions, by the soldiery alone; and as few remains are found except of those which are described in the various *Itinera*, and which are believed to have been principally laid down by Agricola, there is sufficient evidence that they did not find imitators among the Britons. Road making was carried



to such a pitch in all the Roman provinces, as one of the means of consolidating the empire, that it appears that travellers could proceed upon them from the remotest districts to Rome at the rate of 100 miles a day.

Tacitus confines his statement on the subject of education, to the sons of the chieftains; but it has been assumed, that the learning of the Romans became universally sought for; and Gildas says, that the Roman language was so generally known and spoken, that the island might have been more properly called Roman than British. From the line in Juvenal,—

‘Gallia cauidicos docuit fecunda Britannos,’

it may be gathered that the means of completing a legal education were not, in his time, to be obtained in Britain. The literary men of that period adopted the profession of orator or poet; but from the difficulties which were thrown in the way of Britons obtaining the privileges of Roman citizenship, the number of those who could follow the law must have been very limited, at any rate until after the reign of Caracalla, who obtained the applause which Rutilius expressed in the complimentary sentence, ‘*Urbem fecisti quod prius orbis erat*,’ by admitting all the subjects of the Roman empire to a political equality.

The introduction of Christianity called into exercise the intellectual powers of many. Pelagius and Celestius, with their followers and adherents, were among the number. But the operations of Christianity are not to be confounded with those of Roman learning; and the effects of its introduction, which showed themselves in every branch of science and art, are distinguishable in every respect from those of the Roman conquests.

Education, so far as it had a tendency to exalt the intellectual standard, to raise the bulk of the people from the rude unsettled state in which they existed at the time of Julius Cæsar, and to give to the nation a vigour beyond that which mere physical prowess can bestow, must have been but moderately diffused among the mass; as is proved by the wretched state in which the Britons found themselves when the Romans finally left them to their own resources. And it is worthy of notice, as bearing upon this question of the diffusion of education, that the numerous inscriptions, commemorating individuals, which have been discovered, relate, with few exceptions, to military commanders alone, and, almost without a single positively ascertained exception, to Romans. A few have

been suspected to refer to Britons, and one or two are believed to record British kings who, lured by flattery, became the tools of their victors. But, whatever uncertainty there may be upon the general amount of education, the question as to the extent to which the Roman language superseded the ancient British appears to admit of a much more easy and satisfactory conclusion, than any other of those to which the chapter of Agricola above quoted has given rise.

As the British, or Welsh language has been altered but very little by the current of centuries, it may be fairly concluded that the Romans did not, even if they made the attempt, succeed in fixing their own language in the British soil; for it would be impossible to find any adequate reason to account for the disuse of the Roman and re-adoption of the British. To the objection that the Welsh language is not a fair criterion, it may be answered, that it was identical with the British, the difference being at all events no greater than between the dialects of different counties; that the Romans exerted at least as great a sway over the inhabitants of *Britannia Secunda*, as they did over either of the other divisions of the kingdom; probably even more, as the Roman historians seldom notice any revolt in that province; and there are remains existing, which show that stations were made, garrisons established, and roads of communication cut by the Romans through every part of Wales.

How far the Roman dress was worn, there are no means of knowing; but the descriptions of the naked state of the Britons, which was a favourite topic with the Roman writers, may be read with some suspicion. The nature of the climate invites a high degree of scepticism on this point, for it is scarcely possible to believe that the aboriginal inhabitants of this island were of such iron frames as not to be sensible of the vicissitudes of temperature to which they were exposed. At the same time, from analogy to the imitative propensities of savage tribes who have been discovered in our own days, there is no reason to disbelieve that the fashions of Roman dress may have met with many imitators among the Britons, and that among the enervating luxuries which they are asserted to have been taught by their conquerors, an excess in dress may have had its share of favour. But it is impossible to attribute to this cause alone, the defenceless condition of the people when the last Roman legion quitted their shores. The flower of their youth had been systematically drafted to the continent, the levies being so numerous that twelve considerable bodies of Britons in the Roman armies dispersed in the several provinces of the empire were always recruited from Britain; and in addition to this constant

deinand, Maximus, and Constantius (the rival of Honorius), had led away such great armies, that they had almost drained the island of men fit to bear arms. It is little to be wondered at, therefore, if those who were left to the cultivation of their fields, and the tending of their flocks and herds, should have been ill prepared to resist the attacks of their rude and hardy foes; or that, deprived of the protection which their absent sons could have afforded them, the fathers should have willingly received the treacherous aid of their Saxon auxiliaries.

The publication of the numerous volumes of the *Archæologia* have rescued from oblivion a multitude of facts which, of no great importance by themselves, may be of considerable use when viewed in connexion with one another; and the speculations upon Roman antiquities, though not unfrequently of a fanciful nature, have served to keep alive a spirit of inquiry, the general results of which are favourable to the progress of society.

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ART. IV.—1. *Hints by way of Warning, on the Legal, Practical, and Mercantile Difficulties, attending the foundation and management of Joint Stock Banks.* By George Farren.—London; Pelham Richardson. 1833.

2. *Report from the Select Committee on Manufactures, Commerce, and Shipping, with the Minutes of Evidence.* Parl. Paper. 1833.

3. *Report from the Select Committee on the Establishment of the House of Commons, with the Minutes of Evidence.* Parl. Paper. 1833.

ONE of the many obstructions to national advancement, is the Law of Partnership. The evil is silent, but all-pervading, and will be found to constitute a chief secondary cause of what may be legitimately called distress. Like the Law of Usury, it is much esteemed by the friends of things as they are, and will be repealed by the operation of the same influence as the other, the palpable experience of the mischiefs which result from it.

This is the age of small profits; in many branches of trade, as they are conducted, of no profit at all; yet are the trades carried on with the keenest rivalry; bankruptcies and insolvencies, and compositions with creditors, are unblushingly renewed, and a fresh career of hazard entered upon, with an ever increasing number of competitors.

In the Report of the Committee on Manufactures, Commerce, and Shipping, there appear certain Returns from the Official

Assignees of Bankrupts, of the causes of the failures of the persons that appear before them.

These returns are so extremely loose, and framed in such dissimilar fashion, that it is in vain to attempt to obtain a summary of their contents; they are the result of the opinions of single persons being Official Assignees in Bankruptcy during the last eighteen months, formed without investigation calculated to elicit correct conclusions. They are *ex post facto* decisions, which might possibly be shown to have no foundation, had the Bankrupts been apprised that such extrajudicial proceeding would be had; and are by no means to be relied upon. The Committee have struck upon a right flint, but in unskilfulness or ignorance without producing the true light. A series of investigations into the cause of every Bankruptcy, would indeed form a valuable part of national knowledge; and the fantasies of distress which occupy most minds, would soon be found to be resolvable into unskilfulness, ignorance, unpunctuality, and imprudence, besides the untoward consequences of the measures of the Government.

Whether a man failed from having traded with insufficient capital, or upon borrowed capital at a too high rate of interest in relation to the amount of profits, or with too expensive an establishment, either in fixtures, or in clerks,—or from inability to sell off stock accumulated in a period of high prices, or from ignorance of the state of trade in general and his own in particular, or from the delay or cost or ambiguity of the law, or from the severity of taxation, or from the dissipation of a son or member of the family, or from the sudden fall in the price of fixed property with obligations of old date at a high rate, or the introduction of new inventions, or the great fall in the price of peculiar machinery so that other competitors come into the field upon more favourable terms, or from becoming security for others, or from the falling off of that particular branch of trade by reason of the retail trader dealing directly with the manufacturer instead of the merchant, or from the trade going to another place of more convenient locality; all these and a hundred other circumstances, might be elicited in a series of investigations into the causes of particular bankruptcies, and the result would be an amount of useful learning, which might save the fortunes of thousands in time to come.

Of the wisdom of suffering a national decision to rest upon the mere assertions, without specific examination, of these gentlemen, it need only be said, that it is generally the manner adopted in the National Councils. That the Returns are by no means to be relied upon without more minute and special investigation, will

be apparent from the tenor of the whole. Thus it will appear from the opinions given, that the cause of the failure of the bankrupts, was in the majority of instances, excessive expenditure. This of course must be understood to mean, excessive beyond the returns of their respective trades; and here the word excessive must be taken as relative. It may have turned out that a man's expenditure exceeded his income; but did it exceed it in a degree disproportionate to the profits which in the usual course of trade he might have fairly expected to realise? Let this point however be settled as it may, it is only the proximate cause of failure. Are there no remoter causes which forced people into these positions, because they could take no other? One of these causes may be affirmed to be, the state of the Law of Partnership and the administration thereof.

It is proved in the evidence taken before the above-mentioned Committee, and is a fact generally known, that profits are greatly reduced in all branches of trade; and the fact also is hardly less universally admitted, that there is a great abundance of capital in the aggregate, possessed in sums of greater or smaller amount, but in the average number of cases in the smaller amounts, by individuals.

This capital is also relatively increased, by the reduction in the prices of raw material, by the greater economy of labour induced by the more extensive introduction of machinery, by the diminished charges of transit, and by the less prolonged course of dealing, which brings a more rapid return of capital.

All these contributing causes have gone to increase capital, and by consequence to reduce the value of those portions which, formerly, the capitalist disposed of by way of loan, and, as in the case of the landlord, found in it the source of a sufficient income.

This reduction in the value of capital, has driven the capitalist to endeavour to find a better market for it in conjunction with his own labour, and has thus extended the vigour of competition; which in its turn has further reduced the value of capital, and so extended the vigour of competition again.

Everybody who has the smallest connexion with that luxury of sanguine hope in which the poor are too apt to revel, calculates with certainty upon erecting upon that basis a thriving business. If he has a little capital, the confidence which this imparts, adds to the temptation, and almost to the chances of failure. Upon this he lives a year or two, in which brief space he finds that it is fast sinking away, and then he lives upon the credit he has earned, and in good time fails.

If there has been no fraud, but a mere going on in hope, his

creditors, too learned in the causes of his undoing, willingly accept a composition; and he is free to begin again here or in another place, or he takes to some other business, of which he knows less and therefore hopes more, or he becomes the clerk or servant of another, an alteration the most repulsive to one who has been his own master, or perhaps has learnt with what brutality and heartless indifference masters often treat their dependents.

Why is all this? Without labour a man cannot live; and when reliance upon his own strength and industry impels him to exertion, he fails or succeeds, as the chance may be, for neither industry nor skill will always save him from the blight which a meddling Government, a restrictive system and taxes, and a costly administration of the law, one and all contribute to cast over the land.

And yet there are men who thrive; yes, the large and skilful capitalists, who being able to command an extensive market, can work with less profits, and whose arrangements are more various and complete;—these men thrive and justly. The complaint is, that by the unjust operation of the laws, smaller men *may not* unite their resources, to try to command the same chance in the race of competition.

There are, doubtless, great advantages in the singleness of the agency of one,—in the unshackled possession of a large capital in a single hand, devoted to one object,—which can never be found where the resources are the contributions of many. The freedom of volition, and the promptitude and energy of action found in one person or small body, are frittered away, clogged or lost in the multitude of rules, and the complicated machinery, of a large body.

But though it may be true that singleness of wealth is an advantage, *that* does not form a reason, but the contrary, why the law should prevent inferior capitalists from uniting to obtain the same advantages as far as they can;—unless indeed the law offered them the alternative, of being each made rich capitalists by themselves.

If under the present system all the advantage is with the great capitalist; then, without quarrelling with him because in the nature of things he must have superior advantages, the smaller capitalist must exert himself by such means as are in his power; to lessen the difference of advantage between himself and his more powerful competitor,—and the most direct way of doing that, is to join with others.

If the law pretends care for the smaller capitalists; then it comes under that head of taking care of men better than they can

take care of themselves, of which the institutions of Muscovy and of Jamaica offer the most impressive examples.

Besides the great chartered monopolies, the Bank, the East-India Company, there are Insurance Companies, private banking-houses of smaller or larger number of partners, the clubs, sectarian congregations, hospitals, and numberless other forms of combination or partnership, suited to their respective purposes. Extensive partnerships for trading purposes seem to be scouted, because many jobbing schemers attempted to establish such things in the fatal 1825, and a universal mania of the sort prevailed.

If any man should judge of the general demeanour of another in a state of intoxication, or a fit of delirium, or under other forms of excitement produced by an extraordinary event; he would not be more foolish than the wise public, who ever since 1825 have stamped all large associations as bubbles and delusions,—an idea that the insulated tradesmen have not been slow to aggravate and profit by.

The failures of 1825 arose from persons, in the sudden hope of large gains, embarking their *incomes* in the purchase of shares, in the hope of realising a profit upon them before the second or third instalment was called for. What they so spent, could not of course be applied to the payment of their tradesmen's bills; and if another instalment was called for before they expected it, they were obliged to sell at a loss, or pay up, that they might not lose what they had previously advanced. Every body was then spending other people's money, the customer the tradesman's, the tradesman his merchant's, and the banker his customer's; so that when Christmas came, many of the banks broke up, the balances that were with them were lost to their customers, who could not pay the tradesman, who could not pay the merchant, and so on round, after the manner of the 'House that Jack built.'

No doubt, this is a lesson of wisdom to all, not to embark in undertakings for which they have not the means; and there was probably a good deal of practical wisdom in the legislature's requiring a certain proportion (two thirds) of the capital subscribed for, to be paid up before the undertaking was commenced.

The objection does not, however, destroy the utility of extensive partnerships. The objects, and their value, and their chance of success,—the men who bring forward the scheme, and who are to conduct,—their honesty and fitness for the task, are all considerations which a prudent man would weigh before he took part in them, just as he would do if he were going to take a

house, or determine on any other of the more serious concerns of life.

Mr. Farren's pamphlet put at the head of this article explains with some force, and with truth, many of the legal difficulties affecting large partnerships; and quotes the judgment of Lord Eldon in one important case of the kind, which will show the course of reasoning adopted by one, who stood forth in the excitement of the year 1825 the decided enemy to joint stock bodies.

' In *Davis v. Fisk*, his Lordship after saying that "it had been determined that a dozen persons may guarantee each other in partnership, added " when once it was established that twelve might act on such a principle, it was impossible to put a limit to the number; and it is said from the Bar, that 60,000 have combined for that purpose in the present instance. The inconvenience of administering justice to such a mass of people all standing in the relation of partners, was soon discovered, for as partners they were bound to set forth the names of all their body when acting against a stranger, and it was equally incumbent on those who prosecuted claims against them to bring all before the Court. To obviate this difficulty it has frequently happened that Acts of Parliament have been obtained, by which the Secretary, Treasurer, or some officer of the Society, is pointed out as a nominal Plaintiff or Defendant, to sue or be sued, for or on account of the association at large; and so far such an association may be called a *quasi* Corporation, having the power, emblems, and to a given extent the privileges of a body, without having been incorporated. I shall be very cautious not to extend those privileges. The policy of Acts of Parliament in such cases was to render facility to justice, by making one person to represent a mass, which would of itself be immoveable, but the difficulties as I foresaw and urged in my place in the House of Lords, were not so easily to be overcome; for although justice might be done in cases in which the association was *complaining*, by the use of one name instead of 60,000, the same measure of justice could not be rendered in the person of one *defendant*. The Secretary or Treasurer might not be worth the money, for which he was sued, and the funds might be insufficient. But supposing the officer to be in possession of ample means, execution would go against him or his effects; and having paid the money, he would have to seek just contribution from the members, which might be practicable with a manageable number, but which must be next to impossible with 60,000 persons. The Acts of Parliament do not contemplate suits amongst the members themselves, but speak only of actions by and against them. The present record therefore derives no assistance from the Act, as it not only presents members complaining of each other, but states that which is false (I do not use the word false in its offensive sense, but merely as describing an assertion which is not strictly true), for it represents the Bill as filed in behalf of all the members, whereas the defendants appear to be members also. In



certain cases of covenant, where it is necessary to bring all parties before the Court, those who refuse to be plaintiffs must be made defendants ; but a man cannot stand as plaintiff and defendant at the same time ; and for anything that appears on this record, there may be one-half of the members represented by the plaintiffs and the other by the defendants, though all are called plaintiffs.'

' The present case is reduced to a mere matter of partnership ; and as I threw out in the course of the argument, can it be said that a man does not know his own partners, nor the nature of the concern of which he is a member ? I do not say that this record may not be so amended as to bring all the parties properly before me ; but I feel that it is very difficult to do so with 60,000 partners.'

This is good legal reasoning, founded upon a narrow legal rule. It, however, correctly sets forth the predicament as the law now stands of large bodies of persons, who being engaged in some great common enterprise, have the misfortune to fall into dispute.

The objection that the officer, whether Secretary, Treasurer, or by whatever other name called, might not have the funds to meet the claim, and that he would thence be compelled to sue all for contribution is an objection, which may be removed whenever it seems fit to the Legislature. As in local affairs, if a district be charged with a given contribution, the failure of a collector is remedied by the deficiency being again levied upon the capable payers ; so in partnerships, however large, the objection stated may be met, by requiring that all persons being partners, and the amount of their respective shares, should be enrolled, and be forthcoming, if need be, to pay the debt. If a dispute arise, and the law award indemnity, to an extent which cannot be answered by the responsible officer, then according to the respective shares of each of these parties in the general interests of the concern, the law might at once issue its writ of contribution until the whole amount had been paid.

The farcical absurdity of a suit by the Secretary or officer sueable, against all the partners, whether 6,000 or 60,000, cannot be seriously entertained by any but lawyers.

The fact of enrolment should be conclusive against the partner ; and the decree or judgment which went to declare the Company, in the person of their secretary or other sueable officer, guilty, should be the warrant for the instant issuing and execution of the writ of contribution against all the partners enrolled, to the amount of their respective shares.

The pretence that because a man has subscribed a pound with others, he should therefore be made responsible for all the pounds the others have subscribed, is a mere invention of that

kind of law which seems to value itself on being the perfection of unreason.

If an officer of the concern, being a partner, were guilty of malversation or maladministration, then the fact of that officer being a partner should not be allowed to be set up against the charge incurred by him as an officer of the concern; but he should be tried by the terms of the contract or convention under which he took office, as if he were a stranger having no interest in the profits.

If one portion of the partners were at war with another portion of their number, then it should be allowed to each party to be sued in the name of any one person elected by them, without bringing before the Court the whole multitude.

All the exceptions thus started so learnedly, by the ancient friend to ancient things however monstrous, are easily met by fit arrangements, in matters in which the interests of the Government are concerned; and it would require but an Act of ten sentences, to make them applicable to all other partnerships, large or small.

If a King, or minister, or ordinary criminal, being one of the great partnership of the State, were to be brought to justice, all the world would see the absurdity of making the twenty millions of subjects parties *in nomine* to the record. But the genius which ought to obviate the same absurdity in private matters, is thwarted by other sinister arrangements.

There are many individuals, indeed all the officers of Parliament, interested in the system of passing Private Acts to obviate special evils. Their revenues would be diminished if a general law should pass, declaring upon what conditions partnerships might be formed.

And this abomination is likely to be strengthened and confirmed, if Radicalism do not apply itself to the exposure of the enormity. A Committee sat during the last Session, on the establishment of the House of Commons, its officers and fees; and thus reported.

The Committee recommend that the officers should be paid by salaries, and not by fees. But in the spirit of an economy which looks to the saving of so much money, and not to the costlier consequences of the effects of the system in other relations,—they propose that the fees now exacted should be carried to a fee fund, as part of the public revenue,—thus receiving *toll* for legislation and justice.

‘The Committee [says the Report,] are quite aware of the evils [what evils?] which might arise from rendering application to the legislature for Private Bills extremely low in expense, and also of the

justice and propriety of making persons desirous of obtaining particular advantages by means of Acts of Parliament, pay adequately towards defraying the large expenses of an establishment, which is rendered more expensive in consequence of private and local legislation. They do not therefore propose to diminish the gross amount of the fees, but rather to alter the principle of the charge; and they are of opinion that a more simple, certain, and less complicated mode of charge should be adopted, and that Bills should pay more in proportion to the importance and magnitude of the object than at present.

The evils of which the Committee are aware, consist in the impossibility of giving proper attention to more business of the sort, which is already too abundant, and distracts the attention of Legislators from the larger and more universal matters of State to the smaller and particular affairs of districts;—a vice in a national assembly, of which few can conceive the magnitude, who are not aware of the universal force of gravitation towards self and one's own kin and fellows, which, in the most intelligent, will often sacrifice to a class the good of the community.

What would not be given to bribery in other forms, is given in this. The bad legislator wins the hearts of his constituents, by attending to their private and local affairs; at least, this is always found in commercial communities, to be effectual compensation for the want of statesmanship.

The justice and propriety of throwing the expense upon the individuals desirous of obtaining particular advantages by means of Acts of Parliament, can only be judged of, by ascertaining whether a distinction is always made between a personal and a general object. But it is more than to be suspected that the reference to the legislature at all on many matters, results from the deficiency of other institutions; and therefore, whether the objects be individual or national, there is a wrong done by continuing the system.

The probability is, that in one shape or other, in the greater cost of the object or in the lack of its more extensive use, the nation pays first or last.

An instance is mentioned in the Evidence, of a case where a Bill was withdrawn, on account of the cost arising from these fees; and the writer of this paper knows another instance where the public bodies and inhabitants of a town were deterred by the same reason.

From all of which it is to be inferred, that there are other instances of the same kind. In all of which the legislature commits a wrong.

The Committees must look into these matters more radically,

before they attempt correction; they have only touched the surface now. In the present instance, the demand for Reform is one of the first magnitude. If the alterations proposed by the report be made, fifty years will not cure the blunder. There will be a necessity for the recurrence of the same agitation and labour; which it will be in vain to attempt to excite, in any short period after the present proposed alteration has been effected.

No severity of complaint could be unjust in this case. The Legislature has already, in several instances, passed general laws for the government of particular classes of subjects, superseding the necessity of constant reference to the Legislature, or rendering its aid in any special case less costly. Precedent—the idol of English law and Legislation—is not wanting as a guide.

In the cases of the Benefit Societies and Saving's Banks, there are precedents in point, as the lawyers say; and what mis-carriage has come to them and other laws, is ascribable to other causes. The legal Regulations of Friendly Societies have been founded on a general law of this nature; and but for the want of local officers capable of intelligently executing the law in the provinces, these Acts would have been more beneficial than in the ignorant handling of them they have proved to be.

Mr. Farren goes on to state, that

'In the Acts of Parliament granted to several of the Life Offices, and other Joint Stock Companies, the Legislature has caused the following provisions to be inserted, "that execution upon any judgment in any such action, obtained against the person acting as Chairman of the Society or Partnership for the time being, or against the person acting as Secretary of the Society or Partnership for the time being, whether as plaintiff or defendant, may be issued against any Member or Members for the time being of the Society or Partnership; provided always that every such Chairman or Secretary, in whose name any such action or suit shall be commenced, prosecuted or defended, and every such Member or Members against whom execution upon any judgment obtained in any such action or suit shall be issued as aforesaid, shall always be reimbursed and paid out of the fund of the Society or Partnership, all such costs and charges as by the event of any such proceeding, he or they shall be put unto or become chargeable with.'

Thus any one man may be singled out for claims greatly beyond his means of payment, though he is morally bound for only a very small fraction of the whole claim. If the amount of the judgment be levied upon him, he may be ruined at a blow, and long before he can recover from his partners.

This proceeding is manifestly unjust, where an engagement has been entered into that the party shall only be liable to the

amount of his subscription. Might it not be reasonably required, that the persons entering into engagements with such bodies, should prove not only that the thing contracted for was within the objects of such concern, but that they had ascertained there were assets to meet such engagement?

Besides the enrolment of the names of the Members, the names and powers of their officers should be enrolled; and if enrolled, any party dealing with such officers should be bound to ascertain that they did not exceed their functions.

Mr. Farren has published his work, with a view to deter persons from entering into Joint Stock Banking Associations; and after detailing as above, the legal difficulties that now surround partnerships of this unwieldy character, remarks, that it is difficult to suppose that any person would knowingly or wilfully involve himself in such a labyrinth.

‘The Shareholder, at the time he pays his deposits on the formation of the Company, and enters his name for the number of shares for which he subscribes, is in most instances absolutely assured, by the Deed of Settlement or Foundation, that his responsibility is to be limited to the amount of those shares. But, by the operation of the Act of Parliament, he suddenly finds himself made responsible for the full amount of the engagements of the Institution. It would be useless for him to urge to the holders of writs of execution, that the *Deed* to which he subscribed expressly declared a limit to his responsibility. The answer would be (if the holder should deign to give an answer at all), “The Act of Parliament, Sir, declares you liable: the bargain between you and your Co-Shareholders cannot affect the rights of other persons. This is declared to be a public Act, and every man (strictly speaking) is bound to take notice of its provisions; but your name is actually enrolled, on oath, as one of the persons against whom execution is to issue on judgments recovered, You, therefore, are not, or ought not to be ignorant of the consequences.”

‘The inconvenience and disquietude, which a man would labour under, if he were aware of such responsibility attaching to him, cannot be adequately described; and it would be difficult to fix a limit to resulting consequences. Engaged in his ordinary pursuits, and having invested a sum under promises of superior advantage, he would not look to that investment as a source from which danger might spring.—Not being permitted to have a voice in the management of the Institution, he might learn for the first time, from a newspaper report of a trial at law, that the Bank of which he is a Shareholder had been in litigation. Little could he fancy at the moment, that, if satisfaction of the judgment should be delayed, either by the want of funds, or by the contumacy of those who control them, the very bed on which he slept might be seized on for the amount; nay, that the knocker at his hall-door might shortly announce the arrival of the holder of a writ of execution, by which his person must be imprisoned if the money should not be paid.’

‘Once aware of the existence of this danger, a man’s first wish might be to avoid it, by disposing of his shares ; but, if he had been informed of his situation by means which were open to all, he might find it very difficult to meet with a person who would take his bargain even as a gift : and the Act of Parliament is imperative, that all the Members, whose names shall be expressed in the last enrolment, shall continue liable until a memorial of transfer shall have been enrolled.’

‘These observations proceed on a supposition that the Deposit Bank had obtained an Act granting “a power of suing and being sued, in the name of one of its officers :” without such power, banking transactions, with a numerous proprietary, could scarcely be conducted at all ; for it must be borne in mind that they are all simple contract transactions, not expressing on the face of them any limits to the responsibility of Partners, nor defining particular remedies to claimants, as is the case in contracts under seal. It is perfectly clear, that in the present day, no such company would obtain a charter, or be incorporated.’

‘To illustrate legal impediments by familiar examples,—suppose a proprietor, holding shares, by which he is constituted a partner, also paying in money to the Bank as a customer. How could he withdraw his deposit ? Or rather, how could he enforce its payment if withheld from him ? He could not sue his partners at *law*, and the difficulties of bringing the proper parties before a Court of *Equity*, have already been represented in the judgment of Lord Eldon, in *Davis v. Fisk*. “The Acts of Parliament,” said his Lordship, “do not contemplate suits among the Members themselves, but speak only of actions by and against them.”

‘Suppose the case of an ordinary customer of the Deposit Bank, not being a partner, how could he proceed if his deposits were withheld ? He might sue the officer named in the Act, as the nominal defendant ! But, would that officer have the funds of the Company in his actual possession, or under his single controul, so as to be able to pay all the Company’s engagements ? It is to be hoped not—or else the whole property of the Bank would be in the power of a single individual, who might walk off with, or misapply the funds at his own pleasure : of what use then would a judgment against a nominal defendant be to a customer if the funds were adversely withheld ? Why, he might take out execution against any member or members for the time being, of the Society or Partnership. This remedy in a few instances, might be effectual, but would it be so to the extent of the whole engagements of the Bank ? Is it clear that the private property of the proprietors, would be sufficient to meet all public claims on the partnership ? It is perfectly certain, that the separate property of every proprietor would be liable to the last farthing, but that property might not be equal to the claims of the customers, who would have no means of getting at the Company’s Fund, except through the intervention of a Court of *Equity* ; as it must be remembered, that the *subscribed fund* and other accumulations would be invested in the names of Trustees.’

‘So far consideration has been confined to the cases of customers :

turning now to the rights and remedies of the partners among themselves, how would they be affected?—One man whose private property may have been seized in execution, must seek as claimant *pro ratâ*, contribution from several thousand partners, with the probability of being himself made a debtor the next hour, at the suit of some other proprietor, who may also have been levied on for a judgment against the officer, sued under the Act. If the whole of the trading capital should not have been paid up, how would further instalments be enforced, or how would the partner who did pay up, obtain just contribution from those who did not?—p. 14.

There are, no doubt, many other causes of failure of Joint Stock Associations; and one of them is the want of taking security from the officers.

It is not sufficient that the security should be against fraud or theft; it should be sufficient to guard against mismanagement or negligence; and this can only be done by requiring the party employed, to have a certain share in the general funds of the concern, proportioned to his share in the actual management, whether as Director, Secretary, Clerk, or other officer. The shares so regulated ought not to be transferable while the party continues to execute his office. Two advantages would follow this arrangement. It would bring capital, and ensure zeal. The officer would have his salary proportioned to his service and his interest in the fund. It is questionable whether his profits would not equal those of the smaller tradesman, with the still greater advantage of less anxiety and less labour.

Unfortunately the special cases against which Mr. Farren has exerted all his energy to warn, have been provided for in the 7th Geo. 4, an Act for regulating the affairs of Joint Stock Banks, and there is no reason why the enactments of that statute, as well as the provisions used in the Deeds of Partnership by these bodies, should not with some modifications be applied to Joint Stock bodies of all kinds.

But though by passing a general law, the evils complained of would be in a great measure removed, there is also required more promptitude in the *administration of justice*; for which purpose it might be provided, that in cases where the parties could not at the period of dispute, which is the great difficulty, be brought to chuse an arbitrator, the matter might at once, upon a summary petition setting forth the dispute, be referred to a Master in Chancery, or some other officer of the Courts, to be summarily disposed of.

The Court of Review in Bankruptcy, if we are still to retain separate jurisdictions for separate classes of matter, as it is not unreasonably burthened with labour, and as its functions have

reference to commercial subjects, might be charged with all matters of dispute in partnership cases.

There is this further reason for such a course, that this Court has a class of inferior officers, viz. the Official Assignees, to whom matters of account might be referred.

Everybody who has been a partner, must be sensible of the necessity of such a jurisdiction. Partnership Deeds are mere waste paper, and habitually disregarded from the sense of the difficulty of enforcing their stipulations in our Courts of Justice; and after a series of negligences, or worse, many partnerships are suddenly broken up, and their affairs hastily adjusted with loss to some concerned at least, because the alternative—is the Court of Chancery.

To such extent has this evil risen, that it is customary upon a young man being about to start in business, to warn him against partners.

One great benefit of Courts of Justice whose proceedings are rapid, is that they prevent the violation of agreements. Impunity here, as in criminal matters, induces offence; but though our Legislators have provided that an offence committed against the Criminal Laws should be tried within six weeks afterwards, a twelvemonth or two years is necessary to decide an affair of property.

The vesting in Government the right of granting a charter to this company or that, can only be a source of patronage, sought for and obtained by endless begging and intrigue, and after all granted to improper parties, or when the lateness of their success rendered the privilege of no great advantage. It is in the earlier stages of a concern, when it has to struggle with powerful competitors long established, and the still worse antagonists the discontent and disappointment of some of its own members who calculated upon a too early success, that a speedy settlement of disputes is necessary.

Whatever facilities are now granted by Charter or by Act of Parliament, ought to be matter of common right, upon the principle of *Laissez-nous faire*. Whether a person should embark all his capital in one enterprise or more,—as an individual, or in one of these companies,—should be a matter left to his own discretion.

What things are fitly undertaken by individuals, by small partnerships, and by large, will soon be discovered by the discussions of the public and their wants.

With the aid of printing, whatever ought to be reported to the whole body on the progress of its concerns, may be done without difficulty; and this should form a main check upon the



managers. The report ought not to be annual, published at the end of the year, when the officers are about to retire and there is no time before a new election to decide upon their merits; but oftener, once a month, or two months, or three, or half-yearly, according to the nature of the concern.

If the general outline be published, a good deal may be and must be left to the discretion of directors or acting partners; but in most undertakings which are worked with a sufficient capital, the whole will speedily become a matter of routine.

Why should private partnerships be put on a different footing from the great public one? In all cases where parties intend to become liable to the responsibilities of a partnership, their names should be enrolled as partners, and the public and creditors should look no where else. Now, by many subtleties of the law, a man is declared to be a partner, who intended no such thing; he cannot incur a limited risk to serve his best friend, his brother, or his son. If he takes a hundredth part of the profits, he incurs the liability of losing his whole fortune in spite of any arrangement. Secret or avowed, dormant or active partner, he cannot make an arrangement suitable to his circumstances. Doubtless, as in the law of usury, the law is evaded sometimes, and then always at greater cost to the party intended to be protected. A man may let his house, or his land, or his factory, or his materials of trade, at an extravagant rent; or he may rate them above their value and take security for the greater amount, with of course proportionate interest, injuring the partner and the creditor equally.

Because of these difficulties, a number of men each getting a bare return to capital, must drudge on day after day, from morning to night, doing all things in anxiety and imperfectly, because the law says they shall not join their resources.

They must have separate places of business, separate clerks, separate travellers, if they can manage to have these necessary helps at all; and if they cannot, they are separately attempting to do by fractions, what joined together they would do entirely. They would save in the one case all that is gained by greater activity; and in the other all that is given to one of the places of business, one class of clerks, one set of travellers.

But they go on struggling; and most moral men will they be if they continue honest, when all roguery is growing around them, forced by the pressure which everybody feels.

Discontented with the government, with minds distracted, doubting whence comes the blast that destroys them, they have neither courage nor coolness to make the best of their condition; and the most right-minded and conscientious, move on in

apathetic routine, waiting their doom,—neither hoping nor fearing, for the worst has every now and then become better and the better turned worse, so often that they know not whether to fear or to hope. In the meanwhile, the books are neglected, stocks are not taken or half taken, and the work abandoned; the expenses of home continue while credit lasts; and then comes the shock, destroying self, home, friends, ~~creditors~~,—all with whom there was connexion; or if these last survive the shock, it is only with the conviction that their own time may soon arrive.

Can this be a moral nation, so long as men feel that success is not the result of conduct,—that the swindler and rash speculator have as great (perhaps greater) chance of success as the prudent and the virtuous;—as long as the rich habitually incur debts and fail to pay them,—promising, and shirking the sight of their creditors, like swindlers and thieves,—and the legislators, the most glaringly vicious of all in this particular? Who can doubt why these abominations last? Individuals, engaged in a whirl of business, and suffering all the anxieties incidental to it, have no thought of causes. The law as it stands, has been made by the public enemy; and the existing legislators have no interest in removing it.

Until justice is the standard of precedents in the legislature, and freedom of action the rule in matters commercial and all others where the community does not suffer, there is no security for property, and it would be well that they who have their stake in the country should be prompt to set an example. Let then, taking Lord Durham's advice, the crown and the government go hand in hand with the people. Let each question be tried, not as a party or flash question, but with all the steadiness and sagacity of a skilful engineer, who knows that in a very subordinate mechanical department, a great impediment may arise, though his main power be of the mightiest. The main power of this people, is their industry, indefatigable and energetic as long as its reward is not hopeless. It has planted here freedom and independence; but these are falling away or becoming restless and wayward, from the impediments opposed to their source; and of these impediments,—almost unseen, and apparently small,—the law of partnership and the administration of it are not the least paralyzing.

ART. V.—1. *A Sketch of the Life of C. Eulenstein, the celebrated Performer on the Jew's Harps*.—London; Welsh. Small 8vo. pp. 69. With a Portrait. 1833.

2. *The Giulianiad, or Guitarist's Magazine*. Nos. IV, V, and VI.—London; Sherwood. 1833.

LET no man despise the day of small things. There may be more mystery in a Jew's Harp than a hand-organ, notwithstanding their relative dimensions. Think of a man's playing concertos on the engine which 'Skinner in his *Etymologicon Linguae Anglicae* calls "Cythara Judæorum," and says that neither the creaking of hinges, nor the mewling of cats, can be more dissonant and harsh;—on the instrument which 'the Germans call *Maul-trommel*,' but of which the vernacular name is *Brummeisen*—"buzzing iron." Nevertheless

'The performance of Mr. Eulenstein on the Jew's Harp is not only a great curiosity in the musical world, but is, in itself, eminently beautiful. By means of a series of instruments, properly tuned and adjusted, he commands a scale of four octaves and two or three notes,—has a perfect mastery over all the diatonic and chromatic intervals, and modulates with the most graceful facility and the nicest accuracy into every variety of key. By dint of incessant practice, he has overcome a difficulty which at first seemed insuperable: he has acquired a power of stopping the vibration the instant the spring is struck, and yet leaving it free for the next note, so that he can perform the most rapid staccato passages with astonishing brilliancy and precision. But his greatest triumph is the tone which he elicits from his humble and hitherto contemptible instrument. We have all heard its dissonant twang when touched by the rude finger of the school-boy, and even ears unmusical have turned away in aversion from its monotonous grumbling; but in Eulenstein's hands, the tongue of iron speaks with most soft and silvery voice, and pours forth its sweet and tender notes with such delicacy and taste, that at the close of some pathetic melody, the ear drinks in the dying sound with breathless attention, and continues to listen after the enchanter has ceased. A great variety of effect is also produced; a firm, though gentle, note reminds us of the violin,—in that clear harmonic sound a tiny bell is heard—and, when a dead silence is preserved, (which ought always to be the case,) and all is quiet without and within, fairy strains creep about the room in undulating harmony, now nearer, now more distant, as if a moving chorus of airy little beings, in their tenderest mood, were delighting themselves in song.'

'The scene changes, and the trumpet sounds—the reader smiles incredulously—the trumpet! a Jew's Harp! nevertheless, gentle reader, the tone, though a miniature likeness, *does* resemble that of the trumpet, and at the head of Lilliputians would lead them most inspiringly to the onslaught.—These various results are effected by

the performer playing sometimes only on one, but generally on two, and, occasionally, on four instruments at a time : sixteen lie before him, and he takes them up, and puts them down in turn with the greatest ease and without the slightest interruption to the melody.'

'There is nothing peculiar in their construction; some attention may perhaps be paid to the elasticity of the spring, and they are brought into accurate tune by loading the extremity of the tongue with a little sealing-wax; but in other respects they are precisely the "*Cytharæ Judæorum*" of which Skinner speaks with such unmingled abhorrence.'

'The reader who has any curiosity in such matters, may now be disposed to enquire how Mr. Eulenstein came to make choice of so unpromising an instrument; and as the circumstances, under which he was driven to this, are somewhat singular, as no little energy and decision of character are displayed, it is believed, that a brief memoir of his life will prove acceptable to all those who take an interest in the cultivation and development of talent under opposing difficulties and occasional deep distress.'—p. 1.

Charles Eulenstein was born in the year 1802, at Heilbroun, in the kingdom of Würtemberg. His history is the ancient round, of genius, poverty, struggle, pertinacity, and success. His first musical energies were displayed in insisting on having his father's violin to play on, when he was between four and five years old; and because his father refused, he made a fiddle for himself. His father soon afterwards died, and the coveted violin became his own. His mother, who was poor, disliked supplying him with strings; and so the boy contrived, by pretending he had no appetite till the middle of the day, to get his penny loaf transmuted into a penny before he went to school, and then turned six breakfasts into a fiddle-string. And after all he did not succeed at that time in teaching himself to play; in consequence, as is suggested, of his hand being too small. A well-timed grandfather got him leave to be taught the flute; and he arrived at the dignity of being a chorus-singer in the church. The violin also was continued; and at the age of twelve, having far surpassed all his companions, he was considered a very good performer.

His mother however, insisted that he should be put to business; and believing that music was in books, and that to bind books would be to have them, to a book-binder he went. His master soon complained that he was busy with the inside of books and not the out; and he was translated to a shop of hardware. Here he might have been happy; but his mistress hated music. Besides his violin, too, somebody had given him a French Horn; a perilous piece of hardware for the youthful

dealer. The horn was speedily forbidden ; and the violin, a guitar, and a tiny flageolet, were all successively discovered and put under the ban. But his destinies were not accomplished ; the Jew's Harp had not yet appeared upon the scene. As a hardware-man, he sold Jew's Harps ; it was his limited service to sell them for a penny each, to the school-boys of the town. Like the starving man that first tried oysters, he seized upon the chance, and commenced his experiments.

' In a very few weeks, to use his own words, he discovered that there were sounds residing in the Jew's harp, which he had never heard before. He was encouraged to proceed ; and one day having heard a gentleman, who came into the shop, perform in a superior manner on two harps at once, he was so delighted, that he resolved to devote his whole attention to this humble little instrument. For four years he practised incessantly at all opportunities. The greater part of every night was consumed in this occupation ; and so fearful was he of being detected by his duenna in such an enormous sin, that he actually hid himself under the bed-clothes, lest the soft and liquid note should reach and offend her ear. One night he fell asleep, with the Jew's harp in his mouth ; and was awakened by a scratch in the face from the point of the spring. To remedy the inconvenience in future, he covered it with a little sealing-wax. This, he found, altered the pitch ; and, with a quickness of apprehension not a little wonderful in a mere boy, he instantly saw the great advantage which might be taken of this circumstance. By means of loading the end of the tongue, more or less heavily, he tuned a series of harps with the greatest nicety ; and was thus enabled, as before mentioned, not only to command a very extensive scale, but to modulate, with surprising truth and accuracy, into every variety of key. He now laboured with redoubled diligence. At the end of two years, his clear and delicious tone was brought to perfection. He had acquired the remarkable power of executing staccato passages with extreme rapidity:—his shake was close, distinct, and beautifully in tune ; and all the turns, slides, arpeggios, and various other ornaments and graces, (of which he was the first to discover that the instrument was capable,) were under his command. In short, he played nearly as well as he does now. But his talent was not to be hidden for ever under a counterpane. He now began to indulge in dreams of advancement, by displaying to the world his entirely new accomplishment. He collected a few musical friends into a dark room, gave them a specimen of his skill, and required them to name the instrument. They were in perfect raptures ; talked about fairies and angels, and manifested the greatest impatience to see the cause of all this novel harmony. Lights were brought ; and sixteen penny Jew's harps lay on the table.'—p. 17.

One year was expended in curing himself of making faces. He then ran away from the rest of the hardware, with his Jew's Harps in his pocket ; and his mother having withdrawn her

fruitless opposition, he set off with her blessing and twenty shillings. He arrived at Heidelberg, but could not muster courage to commence operations, and so walked on to the next town. Here no inn-keeper would let him have a room. In the next town, a room might have been procured; but a magistrate who had no notion of 'buzzing-irons,' refused him permission to perform. It seems there are fools on the bench in Germany. With similar success he toiled through Frankfort, Hesse Cassel, and Hanover; and walked six hundred miles without effecting in any degree the object of his tour. He sat under a tree for rest, and practised; and spent many a night in the open air. How the pound held out, is a marvel unexplained; there must be humanities in Germany, a pilgrim may remember but does not talk of. At last he arrived at Luneburg, where he had an uncle of many callings,—'having a large business in the way of letting public rooms,' and being moreover 'the proprietor of a small theatre,' a dealer in 'confectionery,' and in 'wine.' His uncle received him kindly, and made him useful in his manifold employments. It was not till the end of three years, that he obtained permission to give a concert in his uncle's theatre. It was attended with tolerable success; and having saved a little money during his sojourn, he once more set forth, and with 'precisely the same ill luck as before, walked all the way back to Heilbroun. Once more in his native town, he bought new pantaloons,—for so the florid language of his biographer seems interpretable,—and advertised a concert. But his 'friends' set themselves to raise an outcry, declared he was mad and a vagabond to boot, and tried to force him to return to hardware. To add to his misfortunes, he stitched his last four pounds into a girdle, and left it on a tree when he went into the water to bathe; but whether water-king or kelpie coveted it, was never known, for it was never heard of more. He concealed his loss from his mother, and set out again with a few shillings in his pocket. His success was small; he was driven from the more considerable towns, and with great difficulty obtained enough to support life, by performing occasionally before a few persons in less frequented places. He persevered for some months, and gradually fell into deep distress. His clothes, small and great, as usual wore out; and many a mile he walked without shoes, that he might have wherein to appear before his audiences. His rents (the *hole* he had, as Mr. Hood would say) grew every day more perplexing and unmanageable; and with the fear of nakedness before his eyes, he was compelled to turn his steps towards Stuttgart. He found a master,—in what employment is not said,

but he had been used to many,—who advanced him a little money with which to sacrifice to the graces. He was engaged to attend private parties ; his fame began to spread ; and one day,—the change seems too brilliant for even a German story,—he received an order to attend the Queen of Würtemberg. His presentation of himself was characteristic of a man who had just been living in sheep-skins and goat-skins, or garments of less excellent endurance.

‘ When I received the summons, instead of delighting me, it made me tremble very much, for I had never been in the presence of a queen before ; and I was afraid that my extreme awkwardness and timidity would prevent me from playing well. When I entered a long room, in which the queen was, her Majesty was sitting quite at the other end : but, instead of walking on till I came sufficiently near, I instantly began to bow ; and, all the way I went, I kept making a great many bows towards her Majesty, none of which she saw. The queen spoke to me repeatedly ; but I do not know what was said, I was so frightened. All I remember is, that she was kind in her manner, pleased with my performance ; and that a letter of recommendation was offered to me, in case I should go to London. I was never happier in my life, than when I returned home at night to my own room.’  
—p. 33.

After this visit, his circumstances, as may be supposed, improved. He started again in February 1825, with money and letters of recommendation in his pockets, and irreproachable garments on his outward man. At Tübingen he played to three hundred people ; played at Friburg, Basle, and Zurich. At the last place he gave a concert, cleared ten pounds, and sent it to his mother. Thence he set off for Lausanne, with nearly thirty pounds ; and thence to Lyons, and to Paris. At the two last places, he did no good ; the French are not a people to hold their tongues and listen to Jew's Harps. So after spinning out his last napoleon through all the permutations of which starving is susceptible, and holding out two days more after his magazines were exhausted, he applied to Mr. Stockhausen, the husband of the celebrated singer, who assisted him, procured him employment as a copier of music, ‘ *talked him about* ’ as he says, and finally set him afloat again. He became known to Paer, the composer ; was introduced by him to the then royal family of France ; and after settling with the inseparable spectre of the tailor, found he had forty pounds. Upon this he came to London, with a letter of introduction from the Queen of Würtemberg to her sister ; performed at the Marchioness of Salisbury's rout, and was not heard ; and was on the point of returning to the continent, when the Duke of Gordon sent for him, and became the founder of his fortune. Through the intervention of the Duke, he was

introduced to perform before George the Fourth. The Duke also arranged parties for him of suitable dimensions, and 'bound over' the noisy fashionables 'to keep the peace;' being apparently of opinion that in music, *de non auditis et non existentibus eadem est ratio*, and that a thing may be worth trying to hear though it does not bray as loud as Punch's trumpet.

'Mr. Eulenstein now became an object of curiosity and interest. He commanded attention even at routs. Good musicians awarded him the just meed of praise. Scientific men investigated the theory of his instrument, the effects of which were quite new to them; and the character of his music was much raised in public estimation, by his performing before a large assemblage, which included all the *savans* of London, at a Lecture given in the Royal Institution, in illustration of Mr. Wheatstone's Doctrine of Acoustics\*.'—p. 47.

But even then, the current of the artist's existence did not invariably run clear. He went home and took to practising the guitar, with a view to settle in London as a teacher, and so make up for the deficiency of pupils on his other instrument. He came back, found himself and his harps forgotten, and had the hill to climb again. He lived for some months on one engagement and two guitar pupils; but grew very weak and ill, from the small quantity he had to eat. But the crowning misfortune was yet in store. The iron of the Jew's Harp had affected his teeth, and produced a general decay. One day, severe pain came on, and continued for some time; and he found, on repeated trials, that he could not touch his instrument without excruciating torment. He says on this occasion,

'Had I not been possessed of religion, and entertained the strongest devotion and trust in Providence, I should have been in danger of putting an end to my miserable existence: but I owe it to my mother, that such an idea could never master me.'—p. 53.

Some people may smile; but examine the cases of suicide from loss of worldly goods, and see how many of them present deeper personal misfortune, than a man's teeth breaking down after he had employed his whole life in learning to get reputation and a living by their use. In a few days, however, he recovered his energies; and displayed them by dining twice, and occasionally once, a week, and redoubling his study of the theory of music and the practice of his guitar. He went to Cheltenham and Bath, displaying his Jew's Harps occasionally, but at the expense of great suffering; and at the last place became

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\* 'See No. 59, Chambers's Edinburgh Journal.'



established as a guitar teacher, and remained there four years. At last a dentist contrived something like a cover for his teeth ; which restored him to himself. He was treated with much kindness by the Duke and Duchess of Gordon ; and received with great attention in ' the Modern Athens\*.' From Edinburgh he returned to Bath, and then to London ; where he purposes instructing pupils in the Theory of Music, and the practice of the guitar, violin, and pianoforte, on all which instruments he thinks his knowledge of harmony and modulation may enable him to improve their taste and style of execution.

If there were a musical forlorn-hope to go upon, here lives apparently the man would execute it. All you that desire to arrive at some particular point or pinnacle in this puzzling world, remember how hard it was, to get to play upon Jew's harps.

' Ah ! little think the gay licentious proud '

what energies, distresses, toils, are expended by their betters in the poorer ranks of life. Compare, for instance, the man who has arrived at drawing soft music from Jew's harps where nobody ever thought of looking for it before, with a corn-law peer and foxhunter. If there should be truth after all, in the scripture intimation, of a world where the first shall be last and the last first—!

The Guitarists seem at length to be breaking out into a knowledge of the capabilities of their instrument, and to be in a fair way of establishing that as it was the first upon which musical theory was exercised, so it will end by being the schoolmaster to perhaps all the others, in leading them to the practice of the long-sought correct harmony. The *Giulianiad* (formerly referred to†), in one of its later numbers, on the subject of the theory of Correct Harmony treated of at some length in a former Article‡ of the *Westminster Review* as illustrated on an instrument entitled the *Enharmonic Guitar*, gives its testimony,—

' that the harmony procured on this instrument in the key in which it is made mathematically perfect, is so charming to the ear, that, as one of the oldest and best judges of the guitar we know, said on hearing it—" It reminds me of the perfect harmony produced by four good players in a quartett on two violins, tenor, and bass."—*Giulianiad*. No. 6.'

Here is the authority of practical musicians, certainly unbought and unasked, to the fact that correct harmony has

\* Chambers's Edinburgh Journal, No. 59.

† Westminster Review, No. XXXVI. Art. *Musical Periodicals*. p. 471.

‡ Westminster Review, No. XXXII. Art. *Enharmonic of the Ancients*. p. 429.

*instruments.* It was manifestly a great and successful temptation of the evil one;—from which the world must be recovered\*.

But the Guitarists having acknowledged that they have an instrument capable of making correct harmony in one key, the next thing is to point out to them the importance of proceeding gradually and perseveringly to see how far this may be extended to playing in a variety of keys in succession on the same instrument. There are every where two sets of individuals,—one that jump at a difficulty and put down everything as impracticable, and another that seize on the means by which difficulties may be obviated. Fancy a boy placed with a violin for the first time in his hands, and told 'Now you are to run up and down each of the strings in stopped harmonics, as fast as any ear can follow you, as Paganini does,'—and there will be an example of the absurdity of voting a thing im-

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\* It would be easy to make a cheap and simple instrument, which might be of great use to both singers and violists for acquiring a just intonation in all keys, and setting the temperers at defiance. Make a kind of guitar of the cheapest construction, with a body so small as to allow of conveniently marking off two octaves on the neck. Give it three strings, of the pitch probably of the three smallest on the guitar; and divide the neck by frets representing the just division of the octave, the Seconds and Sevenths, as described above, being each double. If the frets in general are of iron, make those of the *unusual* forms of the Dissonances of brass; and further add a brass fret between the Fourth and Fifth, at the distance of  $\frac{1}{3}$  of the string from the head, to keep up the usual number and give the Tritone (or Seventh after a change of key to one additional Sharp). Slightly file down the sharpest of each pair of double frets, to secure the other's sounding without impediment. The strings should be of steel wire,—the object being not *power* but *correctness* of tone. The bridge would probably require to be set in a very small degree awry, so as to make a compensation for pressure on the thicker strings; which must be determined by experiment. This instrument would afford a singer or violist the means of hearing the true divisions of the scale in any imaginable key; and by tuning another string to one of the divisions of the string in use, the correct change may be heard into any other key. Such an instrument for the guide of the beginner, would at once answer the stupid question, '*How is anybody to sing or play compound intervals?*' It would perhaps best be sounded with a *plectrum* or quill, to save fingers; and should be called a 'Modulator.'

It would be practicable, in singing, to distinguish the four sounds of the Seconds by the syllables *ra, re, ri, ro*, and of the Sevenths by *sa, se, si, so*; while the sounds of *mi* and *la* Minor, might be expressed by the Italian sounds of *mu* and *lu*. Intonation would thus reduce itself to learning to execute the intervals of the octave, only from any pitch to begin with; and if singing alone were concerned, it might not be a bad idea to write all music for singers in the same places, as for instance to write the key-note always in the place of C below the line, prefixing a mark indicative of its pitch, in something like the way practised with what are called *cliffs*.

the other (say, perhaps, four or five times as often); and this usual or ordinary form is the form farthest from the middle of the scale, or nearest to its two ends the Key-note and the Octave,—to wit, the *flatter* form of the Seconds, and the *sharper* form of the Sevenths. *Voilà tout*. In this small fact has nature compressed all the difficulty which has been prosed about under the title of Imperfection of the Musical Scale; so that the imperfection turns out to be no imperfection after all. The singing men and singing women, were the people that led to this discovery; for they observed, that in running *down* the notes of the scale, they had a tendency or instinct to make the Second flatter by a Comma than musical writers had assigned it; the truth being, that they were directed by the ear to make their Second form a just Concord (to wit, a correct Minor Third) with the last note capable of a Concord which had preceded it, the Fourth. The only wonder is, why they did not find out that it was equally desirable to flatten the Second when the Fourth was to come *after* it;—however, everything must be found out as heaven pleases.

If all this may be considered as established, it is plain that the singers and violists,—the happy artists who are fettered by no physical limitations in the formation of their sounds,—have got the whole game before them. They have nothing to do but acquire the faculty of justly forming all the sounds in the octave, and applying the *unusual* or extraordinary forms of the Dissonances in the small number of places where they may be marked as required to make harmony,—and to do this equally upon whatever given sound the scale may be commenced,—when they will at once be able to execute with accuracy every change of key *which anybody can define or describe*; and for executing such as can neither be defined nor described, there will probably be not much difficulty in designating such performances as jargon and patchery, and classing them with what a child makes on the keys of a pianoforte and asks ‘if it is not pretty.’ What all this points to, is manifestly a return to the ancient system of Sol-fa-ing, or what the French call *solfier par transposition*. Let the utilitarians and philosophers say what they please, things *do* sometimes retrograde; and no more flagrant instance of it can be given, than that the musical syllables *sol*, *fa*, &c. which were so manifestly invented by our wise ancestors to express the relation of sounds *to their places in the octave* whatever might be the pitch, should have been sunk and degraded, in compliance with those ‘knights of the extinguisher’ the temperers, into mere substitutes for the letters A, B, C &c. which express *certain sounds on fixed*

*instruments.* It was manifestly a great and successful temptation of the evil one;—from which the world must be recovered\*.

But the Guitarists having acknowledged that they have an instrument capable of making correct harmony in one key, the next thing is to point out to them the importance of proceeding gradually and perseveringly to see how far this may be extended to playing in a variety of keys in succession on the same instrument. There are every where two sets of individuals,—one that jump at a difficulty and put down everything as impracticable, and another that seize on the means by which difficulties may be obviated. Fancy a boy placed with a violin for the first time in his hands, and told 'Now you are to run up and down each of the strings in stopped harmonics, as fast as any ear can follow you, as Paganini does,'—and there will be an example of the absurdity of voting a thing im-

\* It would be easy to make a cheap and simple instrument, which might be of great use to both singers and violists for acquiring a just intonation in all keys, and setting the temperers at defiance. Make a kind of guitar of the cheapest construction, with a body so small as to allow of conveniently marking off two octaves on the neck. Give it three strings, of the pitch probably of the three smallest on the guitar; and divide the neck by frets representing the just division of the octave, the Seconds and Sevenths, as described above, being each double. If the frets in general are of iron, make those of the *unusual* forms of the Dissonances of brass; and further add a brass fret between the Fourth and Fifth, at the distance of  $\frac{1}{3}$  of the string from the head, to keep up the usual number and give the Tritone (or Seventh after a change of key to one additional Sharp). Slightly file down the sharpest of each pair of double frets, to secure the other's sounding without impediment. The strings should be of steel wire,—the object being not *power* but *correctness* of tone. The bridge would probably require to be set in a very small degree awry, so as to make a compensation for pressure on the thicker strings; which must be determined by experiment. This instrument would afford a singer or violist the means of hearing the true divisions of the scale in any imaginable key; and by tuning another string to one of the divisions of the string in use, the correct change may be heard into any other key. Such an instrument for the guide of the beginner, would at once answer the stupid question, '*How is anybody to sing or play compound intervals?*' It would perhaps best be sounded with a *plectrum* or quill, to save fingers; and should be called a 'Modulator.'

It would be practicable, in singing, to distinguish the four sounds of the Seconds by the syllables *ra, re, ri, ro*, and of the Sevenths by *sa, se, si, so*; while the sounds of *mi* and *la* Minor, might be expressed by the Italian sounds of *mu* and *lu*. Intonation would thus reduce itself to learning to execute the intervals of the octave, only from any pitch to begin with; and if singing alone were concerned, it might not be a bad idea to write all music for singers in the same places, as for instance to write the key-note always in the place of C below the line, prefixing a mark indicative of its pitch, in something like the way practised with what are called *cliffs*.

possible because it is not to be done at the commencement. It is clear that any hard-headed practical performer on the guitar, who to his practical knowledge adds enough of the theory of music to know why an Octave is an Octave and a Fifth is a Fifth, has the chance open before him, of raising himself to considerable notoriety in an age not at all deficient in attention to novelty of all kinds. But he must go *bride en main*, and not be afraid of exercising about the hundred-thousandth part of the energy and perseverance which enabled Mr. Eulenstein to play on the Jew's Harp. His first step should be, to attain to a competent manual performance in one key, major and minor; on an instrument which presents some slight difficulties from the frets being not all in straight lines and in the usual places. His next should be, to add the power of going with correctness into either of the two most closely related and useful modulations, the major of the key of the Fourth, and minor of the key of the Major Sixth; and he should provide himself with a solo calculated to set off these his attainments to the best advantage. He might then be said to be fit to make an appearance before the public in the *instrumental* way\*. But of much greater importance would probably in the end be his performance as an *accompanier*. And for this purpose he should select a singer,—with a voice calculated for being accompanied on the guitar,

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\* At the same time it might be politic, previously to performing in public, to cause an instrument to be made in the intended key, with the frets *fixed*. The instrument-makers can smooth or plane down a series of fixed frets, with a nicety that can never be attained with a moveable series; to say nothing of occasional jinglings which it is very difficult to prevent. A clarionet-player carries three clarionets, and an organist has from six to sixty organs before him; there would therefore be nothing so inordinate in a professional performer having three guitars, and it is not clear that the three might not be had for nearly the same cost as *one* with the neck pierced for the moveable frets. The moveable apparatus would always be an interesting possession to the man of science, but the others would be most adapted for performance in public. At a venture the three keys may be stated as A, E, and C ♯; the two first because they are the most brilliant on the instrument in consequence of the number of open strings in the chord, and the third because for some reason or other (probably connected with the arrangement of the notes which can be struck at the same time) it appears to include some peculiar effects. Each instrument can also without much detriment be lowered in pitch by any quantity not greatly exceeding a Tone, and by selecting a thin first string the E may be raised to F ♯; so that the three instruments will give the faculty of accompanying in every possible key. Each should possess the frets necessary for playing in the major of the key of the Fourth, and minor of the key of the Major Sixth; with two or three other frets which experience would point out, and which might be either fixed or removeable at discretion.

which seems to imply a female's,—and possessed by nature of an acute ear ;—and should practise accompanying in some simple music, but which will exhibit the change from the major to the minor of the same key and *vice versâ*, and at the same time give some instances of the *unusual* forms of the Dissonances, as for instance of the Second when sounded in connexion with the Fifth, or the Seventh with the Fourth. After this, he should proceed to something which includes some of the more simple changes of key, and particularly which will give a good example of what is termed the *diesis*,—(not of any outlandish interval between two sounds one immediately following the other, as some musical *gobemouches* have expected, but of the difference between for instance C ♮ and B ♯ in different parts of the performance in consequence of an intervening change of key\*). He would then be prepared to *come out* as an accompanier of the voice. He might next aspire to inducing one or more violists to practise with him, and see if he could not demonstrate to them that he had solved the mystery of the quartett. In the mean time he should be consuming what 'bards call their midnight taper,' in obtaining the general power of solving and marking on his instrument, all and all manner of changes of key that any man will have the goodness to define by intimating that he can tell what key he is in at all. In this way, he will raise himself into a great solver of musical difficulties. If the composers can tell what sounds they mean, *he* can let somebody hear these sounds, by at all events a portion at a time†. How

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\* As good an instance as can be given, is in the 9th and 11th bars of Rossini's *Deh! calma*; where the C ♮ and B ♯ (supposing the original key to be A) are found within two bars of each other. Some very incredulous individuals have been convinced by hearing this passage. Fancy the situation of a singer, whose ear has been tutored to nicety by the practice of a whole life, and who is told that these two sounds within two bars of each other, and differing by about two Commas or six times the quantity which makes untuneableness to ordinary ears, (about two-thirds of the difference between a note and its flat or sharp), are to be tortured into some common sound between the two, *to suit the convenience of the makers of keyed instruments*. The opinion of professional singers is especially invited upon this example, to say candidly whether executing it in company with an instrument which gives the two notes in their just proportions, is not as great a satisfaction, comfort, luxury, as wearing gloves where each finger is made to fit, compared with others where each shall be shorter than the longest finger of the hand and longer than the shortest, by half the difference of the extremes.

† Many curious cases occur, which it would be interesting to hear expressed upon a perfect instrument, provided always the object of desire can be defined.

‡ Palestrina begins his *Stabat Mater*, which is still used in the Pope's Chapel, and printed in the music performed there during the Passion

far he may go in the end towards giving a very great succession and continuity of changes of key, is what he cannot tell till he tries. It is plain that the unlimited faculty of successive modulation into various keys, must for ever be reserved for those who have unlimited power over the formation of their sounds, the singers and the violists. But the great use and glory of an Enharmonic Instrument, will be to be the schoolmaster to bring them to this. It is comparatively of little importance, how far the instrument itself shall actually go with them; the aeronauts may fly by themselves, after the instrument has been the gas-machinery that set them on their motion. The great caution for such an Enharmonic performer would be, not to be

week, by three successive common chords, with sharp thirds, to this base, A, G, F, descending diatonically; and yet this modulation is so qualified by the disposition of the parts, and tempered by the perfect manner in which it is sung, that though it looks unscientific and licentious upon paper, its effects, of which no idea can be had from *keyed instruments*, are admirable.'—*Burney's Hist. of Music. I. p. 65. Note.*

What is here meant by descending *diatonically*? Diatonically, means by a tone at once; but is it by the great Tone, or the small Tone? Probably first one and then the other; for between A and F there may be assumed to be a Minor Third, which is equal to a great Tone and a small Tone. What is meant by its being 'so-tempered'? Does it mean that the composer made it one thing, and the singers make it another? If anybody can settle what Palestrina meant or the singers make of it, it would be curious to hear the beginning of this *Stabat Mater*.

'In Bird's well known canon of *Non nobis Domine*, the first treble sings in the key of G major, the second in D the Fourth below, and the third or base in the double Octave or 15th below the first treble; but always in the same intervals.'—*Rees's Encyclop. Art. Counterpoint.*

In the 'Instructions for playing on the Enharmonic Guitar,' (§ 285, and Note in the Additional Chapter to § 78) *Non nobis Domine* is given in the key of D, in a way that makes every chord perfect; which it is apprehended could not be effected by playing the different parts in different keys as stated above, though the phenomenon intended to be described is probably the same. This would make a curious experiment upon a perfect instrument, in conjunction with three voices practised to the accompaniment.

'In Corelli's 12th solo, called *La Follia*, better known by the first line of a song written to the melody "All joy to great Cæsar," bar the 4th, the modulation is from D minor to C major; and the effect, which at first surprises from being so uncommon, is pleasing. In the second bar of Pergolesi's "*Stabat Mater*," [*Do this and the account of Palestrina's "Stabat Mater" from Burney above, intend the same thing, with the mistake of a name?*] the fundamental base moves diatonically, from F to E b.'—*Rees's Encyclop. Art. Fondamentale.*

If great composers knew what they meant in these musical curiosities, it would be charity to let somebody hear it on a perfect instrument. It certainly must make some difference, whether we hear *that* or something else.

alarmed with hearing it dinned into his ears 'You will never be able to modulate into an unlimited number of keys in succession.' Suppose it true,—*Can you?* or can anybody else, except a violinist if he knows how? The objection is an amusing instance of arguing beside the mark. The objectors say, 'You will never be able to modulate perfectly into an unlimited number of keys in succession; look at us, how we modulate into them all—*imperfectly*.' If anybody likes the imperfect modulation, they are welcome to it; but let that be no reason why other people should not try how far they can carry the perfect. The weakness is in attributing an outrageous degree of importance to modulation into an unlimited number of keys in succession. Who cares for modulation into an unlimited number of keys in succession? If anybody wants it, let him try it on a common guitar where the errors are divided equally among the whole,—or try it on any other instrument, where they are divided differently,—or else, as a *tertium quid*, content himself with as much successive modulation as anybody can make correctly, and wait till they can make more. But after all, what is the comparative importance of the thing at all? Does it make all music? does it make half of it? does it make a fraction of almost any assignable magnitude? does it at all events amount to such a fraction, that because it is not at once attained to, all progress in other directions must be stayed?

The world will not stand still for the next hundred years, despite the Majesty of all the Russias; and in small things or great, the spirit is the same. There is here wherewithal to revolutionize the fiddlers, if among the myriads of men whose lives are given to catgut, one can be found of energy enough to be the *propagandiste*.

ART. VI.—1. *Second Report from the Select Committee on Public Documents, with the Minutes of Evidence.* Parliamentary Paper. Session of 1833.

2. *Tables of the Revenue, Population, Commerce, &c. of the United Kingdom and its Dependencies.* Compiled from Official Returns. Presented to both Houses of Parliament.

IF any evidence were wanting of the rate of progression in matters of Reform, which might be anticipated for the future from the course of present proceedings, the Report of the Committee on Public Documents would supply the deficiency.

The Committee sat eight days, and examined nine witnesses upon the inquiry 'of the best means of affording to the members 'of the House information to be derived from Public Documents,



with a view to economy, facility of access, and clearness of arrangement.'

The undertaking was one of great magnitude, and its importance in relation to the future work of legislation scarcely to be exceeded. It was, however, dismissed after the above brief sitting, and upon the evidence of the few witnesses examined.

Of the nine witnesses, only two, Mr. M'Culloch the author of the Commercial Dictionary, and Dr. Bowring, were examined as to the objects, nature, and extent of statistical inquiries, and the means of executing them. In the whole Report there is no inquiry concerning the means now adopted, its deficiencies, and whether the present machinery might in any manner be improved. Another witness, Mr. Brand, Clerk for Colonial Accounts in the Treasury, is indeed examined about the progress of the new attempt to procure accurate financial returns from the different colonies;—but that is all. Of the remaining six witnesses, four are examined on the mode and cost of printing only; while the two others, the Speaker, and Mr. Bull, Clerk of the Journals, are called to show the inutility of printing what are now called the Journals. The four witnesses abovementioned are Mr. Hansard and Mr. Clowes the printers, Mr. Sisson a parliamentary agent, and Mr. Church the Comptroller of the Stationery Department.

But the most remarkable part of the Report, is its meagreness in some particulars, and its assumptions in others.

In four and a half widely-printed pages, the whole subject is discussed under the several heads of Finance, Trade and Navigation, Home Department, Colonies, Foreign Department,—and closes with a few statements on the cost of Parliamentary printing, and the expense and uselessness of giving to each member of the House a copy of the Journals extending to 120 folio volumes.

First and at the outset, the Report adverts to another work cited at the head of this Article, lately presented to the House by the Board of Trade; on which, without examining anybody who has skill to understand and detect the defects of such a work, and without going into its varied details in order step by step to trace their defects and cause and mode of remedying them, the Committee state, in the largeness and generality of official phraseology, that 'Great advantage may be derived by consulting this volume for the details contained in it, more especially with respect to commercial statistics, on which AMPLE information is afforded, comprising the values and quantities of goods and the changes in the rates of duty.'

It might be held, without a fallacy, that if such a work were

by itself to constitute in any particular an authority, it would be better that it should be burnt. As a specimen of the utmost reach of the efforts of the government to obtain statistical information, it is valuable. Its value consists in telling the deficiency that exists.

The book is a collection of dry tables, without explanation; which if complete, might be useful to persons accustomed to consider such documents, but which must be pregnant with confusion to all other persons.

Moreover it is deficient in arrangement. In short, it can only be regarded as a brochure of abstracts of former papers from time to time issued on particular branches of statistics, and incomplete like the originals.

Now the value of all statistics consists in their universality. It were as reasonable to omit sundry data in a mathematical problem, as to omit any portion of the facts.

Mr. Porter the laborious compiler of this production, and Mr. Poulett Thomson the supposed author of the undertaking, are entitled to great praise for their respective shares in the work; but though all praise be due to them for doing all they could with their materials, the work itself must not also in gratitude be presumed to be an excellent work.

The Report goes on to say that on other subjects, such as population, taxation, and colonial statistics, much is to be found, but owing to the want of sufficient information, existing in the different departments whence it must necessarily be furnished to the Board of Trade, the means do not exist of affording all the details that are desirable. This statement is a mere assumption of the Committee, at least so far as anything to the contrary appears in the evidence. There is nothing to show why the different departments have not the information.

However, they recommend that the department lately formed at the Board of Trade should be extended, and that an estimate should be presented to parliament of the sum necessary for procuring and arranging the information required; and then by a circular argument, they report that the return ought, in the opinion of the Committee, to be obtained from the different departments, and arranged by the statistical department.

What the House required was, to know by what particular machinery all this was to be done,—the cheapest and best way; and here the Report wholly fails.

There are, it appears from the evidence of Mr. McCulloch and Dr. Bowring, no means existing for procuring much of the information; and of the plans recommended by these gentlemen nothing is said at all. They do indeed recommend that the

volume or volumes presented to parliament should be under the heads of finance and others as above-mentioned; and as the recommendations are brief, they will be here given.

‘ I. *Finance*.—The Finance Accounts annually presented to Parliament, are prepared in pursuance of the 42 Geo. III. c. 70. That Act describes the nature of the Accounts to be presented, but prescribes no specific form.’

‘ The present form was adopted in pursuance of the Report of a Committee which sat in 1822.’

‘ These annual Finance Accounts give a correct and full picture of the state of the Public Revenue and Expenditure for the year. They contain, however, no Table by which the items of Income and Expenditure are compared with the similar items of former years. Your Committee are aware that such information exists in separate Papers printed by Order of The House, and more particularly in the Reports of the Finance Committee of 1828; but they consider it would be of advantage that comparative Tables, not only of the Revenue and Expenditure, but also of the different Heads of Expenditure and Receipt, should be prepared under the direction of the Treasury, and should form part of the Statistical Volume to be laid before The House in the next Session of Parliament.’

‘ II. *Trade and Navigation*.—The Accounts combined in the Volume printed under the directions of the Board of Trade exhibit a very detailed and elaborate Statement of our Commerce for the last twelve years. There appears little to desire in these Accounts under the heads of Quantity and Value, but much remains to be done under the heads of Prices. The statements of Mr. M'Culloch on this subject are deserving of every attention, and the difficulties experienced by that gentleman and Mr. Marshall prove the urgent necessity of further measures for ascertaining and recording prices.’

‘ III. *Home Department*.—Very important information may be obtained hereafter through the means of the Home Department. Population, Jurisprudence, Crime and Punishment, superficialities and quantity of Land in arable or pasture, Education, with many other most essential branches, will come under this department. On the subject of Population, great labour has been bestowed by Mr. Rickman, and much light has been thrown by him upon the details, never before alluded to; but even so intelligent an inquirer must fall short of obtaining the results he would desire, while the instruments he employs are of so imperfect a kind. It is in those questions especially that the necessary machinery is wanting. In a country where there is no general register of births, and where there is no officer charged with procuring accurate and regular information, much uncertainty must prevail. It appeared last year, that in the returns made for the purpose of the Census, that even in the number of houses, miscalculations to the extent of 10 and 20 per cent were made by the borough and parish officers. There is not, Your Committee would observe, any precision to be obtained on subjects of this nature, unless the officers charged with making returns are bound to do so at short intervals,

and thus acquire a habit and facility in obtaining the necessary data. A register of births, marriages, and deaths, with a summary, made annually, would give more certain information than any return of numbers made at the intervals of ten years.'

'The Volumes relating to Crime and Punishment, being drawn from official sources, are kept to be relied upon with some confidence. But upon this, as upon nearly every other branch of the subject, it would be of great importance to the Legislature to give the dates of any Laws which altered the mode of prosecution, or the nature of the punishment of offences.'

'With respect to the quantity of acres in arable, pasture, wood, &c. every thing remains to be done; but the difficulty chiefly consists in making a beginning, and teaching the officers, by whom the returns shall be made, the value of correct and periodical returns.'

'With respect to the Poor, a very elaborate Volume was presented in 1802, but has not since been renewed. A Form should be framed for that purpose. The inquiries lately set on foot might enable the Department concerned to draw up a most useful form of Tables on this subject.'

'IV. *Colonies*.—It appears from the Minutes of the Lords of the Treasury, printed in the Appendix, as well as from the examination of a Gentleman of the Treasury, that instructions have been given to furnish Statements of the Colonial Expenditure; and some Returns have in consequence been received, and are printed in the volume presented to Parliament from the Board of Trade.'

'Much yet remains to be done on this subject; but the work having commenced, it may be hoped that every year will bring with it an improvement in the fulness and accuracy of the Volumes from the Colonies.'

'Your Committee would therefore only recommend that a vigilant attention should be paid to this subject, and that a Comparative Account be given of the Statistics of the Colonies, from the first year in which correct Returns can be obtained, with those of the current year.'

'V. *Foreign Department*.—Instructions should be given to our Ministers and Consuls abroad, to transmit, besides the information intended specially for the Government, all documents of a public nature, with respect to the Finances, Establishments, Trade and Produce of Foreign Countries. The Secretary of State would of course exercise his discretion with respect to the publication of any Documents so transmitted. But in regard to those Countries which have the advantage of representative Governments little difficulty could be felt, publicity being a condition of all such Governments. Your Committee are persuaded that a judicious selection from the information thus obtained would be of the highest value. Where Works of value on Statistical subjects are published in foreign Countries, of too voluminous a nature to be contained in any Returns presented to Parliament, the Works themselves should be placed in a Statistical Library at the Board of Trade, and in the

**Library of this House.**—Prefixed to the Tables from each of the Departments mentioned, might be given Remarks serving to explain any variation, and to make the whole more clear and intelligible. These Remarks, or Prefaces, should be signed by proper Officers of the respective departments.'—p. 4.

The present Report abundantly shows the consequences of confining the attention to a narrow view. It was plain that the whole field of information now collected for the service of the Legislature came within the scope of this inquiry; and the first and simplest mode of proceeding would have been to ascertain, the manner of recording information in the several departments of the Public Service, and how information suddenly required by the Legislature is to be obtained.

As a prelude to either section of the investigation, it was necessary to learn in the first instance what had been done by former Committees, by the legislature, or by the government.

This would have brought under its view the Reports of Commissioners appointed to investigate the Public Accounts of this country, and of some others which have been recently obtained; and in all these documents though voluminous, there is much information which would have enabled the Committee to point their questions to the proper objects. Having thus ascertained the present state of information on this subject, they might have proceeded to the several departments, and by means of subordinate Committees have learnt how all ordinary information is recorded, and then the mode of obtaining information by single members of the House; the facility of examining the Returns in the Library and elsewhere, might have formed the close of their preliminary inquiry. This portion of the question is not the least important. A member moves, without notice or with notice to the member of the government from whose department the information will be obtained. If *he* see no objection, he consents,—the Return is moved for and obtained; it is called for from the department, and being made, it is then, without notice, ordered to be printed. Now it has happened, that a member of the government disliking the measure in support of which the member is seeking information, will consent, knowing that the information is useless when obtained; and this is done in order to gain all the time which it will require to make the return; and when the return is made, it is incomplete or unauthentic; or if voluminous, arranged in so many different ways,—some returns giving more, some less information,—that no summary result can be drawn from it. All this might be shown by example; but all this is now left in generality by the Committee.

As a beginning, the Committee might have attempted a summary of all the Returns made to the House in any one Session,—arranging these Returns according to their subjects, and passing the whole in review in the manner of a catalogue *raisonnée*. This clinical method of investigation, as it would have placed their conclusions beyond question, would have been more instructive to the House. The requisites of a new plan would also have suggested themselves.

There is a curious specimen of this kind of Return, just delivered to the members. It is the Return moved for by Mr. Wilks of the proceedings of the Courts of Requests in the metropolis. Every one of these Returns differs from the rest, and the whole is printed probably before the House has detected the defect. It is the same in almost every case. All the cost, even to the printing, is incurred; all the time, even extending to a year and upwards, is lost; and the information obtained at so great cost is finally found to be worthless.

There should be a Committee of Returns which should report to the House, whether the information is or is not already in its possession, where it is to be obtained, and whether or not it should not be made in a more extended form than may suit the partial objects of the member. To ascertain this, and expose the moving for returns to some check, some days notice of the motion for a return should be given in terms; and when the return is obtained, similar notice before it is printed.

But the state of information may be very good, and the information useless; there must be division and sub-division of labour in the House, as in all other places. This same inquiry is the result of the want of it. Were the House divided into Committees, the information connected with their respective subjects would naturally be collected into separate heaps; and as the subjects became better understood, the deficiency and the means of supplying it would be discovered with no loss of time.

During the last three Sessions, nearly thirty thick volumes have been printed of matters relating to Ireland, and as many more relating to the East India Company. There is information in greater abundance, than the disposition or the energy to delve and dig into it. Thus it would have occupied a dozen Committees a hundred days and more, to have investigated each subject in all its complicated relations.

The members of this committee consisted of twenty-one persons, of whom five were a quorum. If they had been divided into seven committees, the task would have been better done.

However the following was the course of their proceedings. They were appointed on the 8th of February; they sat on the 25th, and on the 26th of the same month; again on the 1st of March, on the 5th, then on the 18th; and a long interval then follows, at the close of which they sat on the 21st and 31st of May, and again after another long interval on the 30th of July. The report is signed on the 23rd of August, 1833.

Such labours could not but produce a meagre Report. The committee could never have been hearty in the business. It may be they were employed elsewhere on matters as important; but it were better, in most cases, to give all energy and labour to one thing than a distracted attention to many; a trite observation, but so uniformly disregarded by the British legislature, that it needs must be repeated.

The plan suggested by Dr. Bowring is, that the statistical department should be divided into six branches, subject to such modifications as experience might point out. 1. Financial. 2. Commercial, 3. Educational. 4. Jurisprudential. 5. Public Works. 6. Public Opinion. And that it should be one of the earliest objects to obtain from foreign countries, by exchange or otherwise, the public and official documents furnishing the best sources of information.

The following is an abridged analysis of his plan.—

‘I. *Financial Branch*.—Sources of information:—the Budgets of different countries; Reports of Ministers; Legislative Discussions.—1st. Revenues; Systems of Taxation; Modes of Collection. 2nd. Expenditure; Army, Gendarmerie, Militia, National Guards, Landwehrs; Navy, Marines, &c.; Church and Judicial Establishments; Foreign and Home Expenditure; *Matériel* of different Countries. 3d. Systems of Public Accounts.’

‘II. *Commercial Branch*.—A series of Questions should be forwarded to all Consular, Colonial, and other appropriate Agents, from whom regular periodical Returns should be required. There are few commercial countries now which do not publish their Custom-house Reports, their Tariffs, and Trade Regulations. The Statistical Department would arrange them in the most accessible manner. Of our own Import and Export Trade, a general Return to Parliament should be annually made, under an improved classification, and in order to prevent the constant and costly demand for separate and isolated Documents, which are frequently obtained for a specific purpose, and leave an erroneous general impression. The French “*Tableau général du Commerce de la France avec ses Colonies, et les Puissances Etrangères, pendant l’année 1831*,” is an instance of great progress made in the perfecting a public document. This volume, laid before the Chambers, by the French Custom-house, is publicly sold (as all such documents should be) for a sum sufficient to cover the expense of printing.’

'The Commercial Branch might be subdivided into,—1<sup>o</sup> Foreign Commerce.—2<sup>o</sup> Colonial and Fisheries.—3<sup>o</sup> Home Trade.'

'The Documents which ought primarily to be collected, appear to me to be,—*a.* Returns of the Exports and Imports of different Countries. *b.* Commercial Codes and Laws, Ordonnances and Regulations. *c.* Tariffs of all Countries, Premiums and Drawbacks, Bonding System, Custom House Seizures. *d.* Weights, Measures and Monies, to be arranged under general comparative Tables, Exchanges, &c. *e.* Shipping Returns: Tonnage and Men. *f.* Colonial Trade: Intercolonial and with Mother Country. *g.* Fisheries; Whale, Cod, and Coast or Fresh Fisheries.'

'Under the investigations as to Home Trade, come the important inquiries as to—*a.* Cost of Production. *b.* Rate of Wages. *c.* Internal Communications.'

'The Commercial Branch might be organized in a very satisfactory manner, and without any considerable delay. The transfer of commercial information through the mercantile world is incessant; and the great object to accomplish, is its centralization and fit arrangement.'

'III. *Educational Branch.*—The Reports of Ministers of Public Instruction in different parts of the world,—of Societies devoted to the furtherance of education,—the periodical literature devoted to the same purposes,—the Statutes and proceedings of Universities and public Schools,—and, generally, that mass of official and published information which almost every country in Europe and America could now be made to contribute, would only require fit arrangement for most useful application.'

'Some of the subdivisions to which this Branch might be subjected are,—1<sup>o</sup> Public Instruction from Governments,—2<sup>o</sup> from Societies,—3<sup>o</sup> from Charitable Foundations,—4<sup>o</sup> from Voluntary Associations.—*a.* Universities. *b.* Colleges. *c.* Public Schools. *d.* Normal Schools, for the instruction of Masters. *e.* Day Schools. *f.* Sunday Schools. *g.* Adult Schools. *h.* Infant Schools. *i.* Schools of Arts. *k.* Schools for Military, Naval, Diplomatic or other Official Instruction. *l.* Domestic Instruction. *m.* Reading Societies, ambulatory Libraries, &c. *n.* Mechanics' Institutes, &c.—5<sup>o</sup> Population Returns.—6<sup>o</sup> Legislation on matters of Public Instruction.'

'IV. *Jurisprudential Branch.*—On this subject should be collected the Reports of Ministers of Justice,—of Prison and Mendicity Societies,—local Statistics (such as those published by the Prefect of the Seine); some of those by the "Tot Nut van't Algemeen" of Holland, on Pauper Colonies,—Reports on Police, on Crime and Punishment, and, generally, on Penal Legislation in different countries.—1st. Constitutional Codes.—2d. Civil Codes.—3d. Criminal Codes.—4th. Procedure Codes:—*a.* Game and Forest Laws. *b.* Municipal Laws. *c.* Sanatory Laws; Public Health, &c. *d.* Laws for registration of Births, Marriages, Deaths, Transfer of Property, &c.—5th. Police.—6th. Statistics of Crime and Punishment.—*a.* Prison Buildings; Penitentiaries; Houses of Correction. *b.* Bagnes; Gallies; Hulks; Penal Settlements. *c.* Prison Discipline.—7th. Mendicity; Poor Laws;



Pauper Colonies.—8th. Public Charities.—9th. Legislative Tactics.—*a.* Places of Meeting; *b.* Hours of Meeting; *c.* Order and Manner of Proceeding; *d.* Laws of Debate; *e.* Committees; *f.* Reporting; *g.* Accommodation for the Public.'

'V. *Public Works Branch.*—1st. Communications:—*a.* Roads. *b.* Canals. *c.* Bridges. *d.* Turnpikes. *e.* Tolls. *f.* Ferries.—2d. Public Buildings:—*a.* Public Monuments. *b.* Churches and Chapels. *c.* Hospitals. *d.* Cemeteries. *e.* Abattoirs.—3d. Surveys.—4th. Public Walks.

'These objects are susceptible of being considerably extended in number; I have mentioned only some of the more prominent: every one of them opens a wide field of inquiry, and on every one of them a large mass of information is accessible.'

'VI. *Public Opinion Branch.*—I consider this a very important Branch. To collect and arrange the expression of Public Opinion under the different appropriate heads, and to preserve for the purpose of legislation and future utility all those suggestions which, at present, are local and transitory, a Report was daily made to the late Prime Minister of France, of the opinions of the Newspapers on all topics of public interest. In a Statistical Department, all Newspapers should be brought together, which afford any means of instruction. Their *facts* should be distributed to the different branches they concern; their *opinions* should be collected and arranged in the Public Opinion Branch. I know of no Government which is not, in some way or other, occupied in ascertaining the state of the public mind; but the steps taken are, for the most part, rude and imperfect, though the elements might be easily organized, and made, in the highest degree, instructive.'

'Among the means of information, debates and proceedings of the Legislatures of different Countries take a prominent position. An interchange of Documents between the British House of Commons and the Chamber of Deputies of France has, I believe, been finally settled. In the course of the last fortnight, the Grand Referendary of the Chamber of Peers of France has written to the Lord Chancellor of England, proposing a similar interchange. It would be a great step in the progress of civilization, if such arrangements could be generally made, and the transfer of Public Documents placed beyond the influences of peace or war.'

'As to the personal machinery for giving execution and effect to these suggestions, it appears to me there should be one general or directing head, and that every branch should be placed under the charge of an individual, whose attention had been particularly devoted to the study of that branch.'—*Evidence of Dr. Bowring, p. 57.*

Mr. M'Culloch makes the following suggestions:—

'223. You have stated how very difficult the means of information are at present, for the purpose of compiling good statistical tables, will you have the goodness to state whether you can suggest any means of remedying those defects?—There might be various methods suggested, of remedying the defects to which I have alluded. It occurs to me, if

I may be allowed to take the liberty to mention it, that the best method would be to establish a Board of Statistics in London, somewhat like the Boards established in the Netherlands, Prussia, Bavaria, and most of the German States; I would next suggest, that that Board should have agents resident in some of the principal manufacturing towns, for example, in Manchester, Leeds, Glasgow, Birmingham, and perhaps one or two other places; that the Board should correspond with those agents, and make them transmit to it detailed accounts of the state of the poor, of the variations of wages and prices, and of all the improvements and changes that occur in manufacturing industry. It would be the duty of the Board to collect information of all sorts about statistics, both British and Foreign, wherever it could be found; to digest and publish that information, to assist in getting the censuses correctly taken, and, in short, in getting every sort of information that might be necessary for the elucidation of the great questions with respect to national policy, that are coming before Parliament and the country.'

224. You conceive, then, that if a Board of this kind were established, having agents in perhaps five or six great towns, it would be sufficient to procure the necessary information?—I think that a Board of that sort, provided it had regular agents in some of the principal manufacturing towns, and that Parliament ordered such papers to be supplied to it as might be necessary, and such information to be communicated to it by public functionaries at home and abroad as it might deem desirable, might be the means of furnishing the public with a vast body of information of the highest value and importance.'

225. In what way do you suppose that residents in five or six towns would be adequate for the purpose; ought not the residents to have correspondents established all over the country?—There is as much mischief in overdoing the thing as in underdoing it.'

226. If you are to have the Statistics of all parts of the country, how can you possibly dispense with correspondents in the South as well as in the North?—I should not object to having more; but I think that there might be means found, by applications to people connected with the public service in the different counties, to get pretty accurate accounts of the state of agriculture, and of the agricultural class; but with respect to the large manufacturing towns, where the classes of workmen are so various, and the businesses in which they are engaged so very different, it would be requisite to have a resident agent, a man well versed in statistical inquiries, who should be constantly upon the spot, and whose whole business it should be to inquire into every fact affecting the industry of those towns and the condition of the people. If I had half a dozen Clelands, as residents, I think I should speedily get fifty times more information about the condition of the people and the progress of industry than it is now possible to obtain.'

227. Would you not be able to get good information as to six towns, but no more?—That would give me a pretty complete notion

of the state of manufactures and of the manufacturing population ; and as to the state of agriculture and of the agricultural population, I could get that from official persons employed in the counties.

‘ 228. Might not intelligent persons sent through the agricultural and manufacturing districts obtain good information upon the subject ? —I consider the sending out of deputations as being, generally speaking, of very little use ; persons are shy about communicating information to them ; and besides, neither the persons sent out, nor the Government by which they are sent, may be aware of many circumstances that ought to be inquired into, and that would be communicated by a resident agent. I am therefore clearly of opinion that you should have residents in the great manufacturing towns, whose whole and entire business it should be to seek out, digest, and communicate information to the Board of Statistics ; and such residents would have plenty of work on their hands.’

‘ 229. If there was a person sent from such a deputation as that alluded to, would people not be equally willing to give him information as a person resident upon the spot ?—A person resident upon the spot would be acquainted with twenty persons for one that the other would be ; and he would know every channel through which information can be obtained, and would be able to compare and correct one statement by another ; but if you send a deputation, you must send letters with them, introducing them to different individuals, from whom they will in most cases be obliged to take their information ; but a clever agent, living upon the spot, would be able to acquire his information from a variety of sources, and would be far less liable to be imposed upon and misled.’

‘ 230. But then you must have an individual in every place, must you not ?—No ; it would be to no purpose to inquire so minutely as to the state of the population in the smaller towns ; I would be satisfied if I knew its condition in the towns that are the great seats of the cotton, woollen, iron, linen, silk, &c. manufactures ; I should learn the state of agriculture and of the agriculturalists from other sources.’

‘ 231. Does it not seem to you that it may be very possible that two or three large towns may be on the increase, and yet that other towns may be sinking, and has not that been the fact in the last twenty years in Manchester, for instance ?—I have only taken the liberty of stating what would satisfy me : I should not certainly object to your having fifty of these agents if you would not grudge their expense ; the more the better.’

‘ 232. Your notion is, that having not more than ten agents at the principal towns, you would obtain information sufficient to form a pretty accurate opinion of the state of manufactures ?—Precisely : you would then have means of obtaining accurate information, which you have not at this moment.’—*Evidence of John R. McCulloch, Esq. p. 25.*

‘ In another place, in answer to a question, whether by sending instructions to different parish officers throughout England

annually to return the number of schools, and the average number of scholars, it would be easy to attain the requisite information, he answers, 'I think it would, provided you paid them for the trouble, and not otherwise.' This is in truth at the bottom of much of the defects of the present system. Unpaid labour, is usually unskilled labour and irresponsibility. The rest of Mr. M'Culloch's evidence is much to the purpose, though it appears he had not given the subject consideration with reference to the formation of any specific plan.

It would seem confessed on all hands, that we are far behind other countries in Europe and America, in statistical matters. There has been too much boast of excellence, to admit of painstaking investigation into defects; nor is there great probability, since the evil has been discovered, of a very satisfactory settlement of the question, until our statesmen shall know the ends of government and be better versed in the science of working out the means. There is no beginning, middle, or end in the present plan; nor will it dovetail with old practices or new theories. It should be reviewed by Radicals-in-earnest, for it is at the root of improvement in legislation.

Everybody must have observed at times the confident assertion of facts in the House, and the as confident denial, and the bending to and fro of the temper of the audience according as the last fact was more or less stoutly vociferated. Matters in Parliament are decided upon evidence which in our money-computing jurisdictions would not hold as proof in the most trifling matter. Now this is the object to be accomplished by statistics,—the proof of what is—of the whole and every part—all the data of the entire problem. It comprehends all the machinery of the British government, general and local, the condition of every class, the operation of the laws, the whole social state of the people; and the omission of any one class of particulars may vitiate the entire collection.

When the fortunes of millions are to be determined by the decision of the great national tribunal, shall less pains be taken to ascertain the facts upon which the decision is founded, than would be employed in an ordinary Court of Justice on the fortunes of one?

At the close of Dr. Bowring's suggestions, he speaks of means whereby the government may be put in possession of the public opinion, and in another part, of the importance of enlightening the public mind.

Occasion might hereon be taken to show, that but for the Tax on Knowledge,—the Newspaper Duty,—there would be papers suited to every class, and to all trades and interests, which

would gather together the information proper to each; and being of course swayed by the prejudices of their particular readers, the signs of public opinion would be apparent.

It is impossible to close this paper, without expressing the apprehensions which must be felt by every one, who reflecting upon the universal accumulation of neglected evils, perceives with how little wisdom, or energy, or connectedness, or understanding of Reform as a whole, the men charged with the work of reformation have gone about their task. Truly this is not the time for pleasure-seeking, or mere routine work; and every man who does not feel he has a peculiar vocation to public life, and is not willing to sacrifice all to its demands, ought forthwith to abandon it, even though he call himself a Radical.

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ART. VII.—*Sermons on the Principles of Morality inculcated in the Holy Scriptures, and their Application to the present Condition of Society.* By W. J. Fox.—London. Charles Fox; Paternoster Row. 1833.

**THIS** is a volume to refresh, gladden, and elevate the human heart. Faith in God and trust in man; fervent piety exemplified in active and enlightened benevolence; exalted conceptions of the divine character, superintendence, and dispensations, suggesting and sustaining the most cheering views of man's nature, relations, duties, expectations, and destiny, are here illustrated, enforced, inspired. It is 'a book to make man look up to heaven, and derive from heaven feelings which exalt his nature and bless his species.'

Here there is nothing narrow or sectarian. The Deity is represented as the beneficent parent of the human race, superintending for each individual, and for the whole mass, a vast plan of happiness, and working out that plan by many instruments and agencies, that of evil among the rest. All the individuals of all the families of all the people of the wide earth are represented as brethren; and this beautiful and magnificent world as the inheritance which is given them to enjoy in common. And morality and religion are guides to point out the safe and pleasant places; safe and pleasant for one and for all; safe and pleasant to-day, and tomorrow, and for ever. And these safe and pleasant places will at last be found by all, and be free to all; and notwithstanding his present ignorance, viciousness, and wretchedness, man will yet be happy; happy not only in that purer and brighter world for which the christian is ever hoping and preparing, but happy

even in this world ; happy in himself, happy in his fellow men ; happy in himself, by witnessing and promoting the happiness of his fellows. This, whatever the text, is uniformly the doctrine of the sermon ; while the object of each is, more or less directly, to trace out the principles to be followed, the feelings to be cherished, the actions to be done or left undone, for working out this consummation ; and to show, for this purpose, how such principles, feelings, and actions must be made to bear upon individual conduct now, the world being what it now is, and more especially the world in our own age and country,—the religious, the moral, the intellectual, and the political world. And to the furtherance of this grand consummation, every thing and every event is represented as consecrated ; so that there is not an element or an object in material nature, not a science or an art, not an event in history, not a condition of society, not an intellect or faculty of intelligence, but may be regarded as having a mission—and that a divine one—for the accomplishment of some portion of this all-comprehensive plan of Providence.

Habitually to feel this, and uniformly to act in accordance with this feeling, is to have, and to live under, the influence of the true spirit of the christian religion. To believe that man is capable of imbibing this spirit, and of uniformly acting under its influence, is to honour and exalt human nature ; and this is what Christianity has done, and what it is the grand object of this expounder of Christianity to show it is 'worthy of all acceptation' for having done. And in conformity with this purpose, truths in harmony with this spirit, new, startling, repulsive as they may appear to the ordinary professors of Christianity, are stated with a plainness which implies a high degree of moral courage, and enforced with an eloquence which has its source in a deep and exquisite sense of moral beauty. Errors, prejudices, institutions, pursuits, not in harmony with it, yet consecrated by education, and by what has passed for morality and religion, are attacked with a fearlessness which might be deemed rashness, but for the skill which points and directs the shafts. In the accomplishment of this great object of the preacher, which is pursued throughout with a singleness of purpose truly extraordinary, profound and comprehensive views at one time are largely developed, and at another contained in a brief aphorism ; delicate distinctions and accurate discriminations are exhibited in, and made the more instructive and striking by, antithesis and contrast ; while sometimes a chain of acute and logical reasoning precedes or accompanies and sustains a passionate burst of eloquence. It is manifest

that no pains have been taken to polish and adorn the style, that the words flow spontaneously, that metaphors come unbidden to give powerful and felicitous expression to strong and beautiful ideas; yet the language is always clear, often sparkling, sometimes fervid, and occasionally bright and beautiful as the happiest imagery and diction of poetry. Ever and anon indeed there bursts forth a magnificent strain of poetry; but subdued and devoted to one special service, to fill the heart with emotions of exultation, more intense and exquisite than can be inspired by meaner victories, for some intellectual or moral or social triumph, past or to come, for something won from evil for man by philosophy or by religion.

There are few passages in these sermons that can be taken from their connexion without injury, for the reason just assigned, that in general there is a remarkable simplicity and singleness of design in each, and that their chief beauty consists in the skill and energy with which the varied endowments of the author are made to bear on the accomplishment of that design. To carry about a stone as a specimen of a building, is an old illustration of the absurdity of attempting to show the beauty of a poem or the eloquence of an oration by the quotation of detached passages. In the present case however there is no other resource.

After having shown that according to the spirit of the Christian religion, for every individual being, some peculiarity of constitution, training, circumstance, ability, and opportunity, indicates an individual sphere of action and a personal mission of benevolence; and having described the different qualities which fit individuals for different spheres of usefulness; the preacher thus portrays the mission of one class, and the main scope and end of religion itself.—

‘ And there are those who have a gentler and more bounded ministry, seemingly more limited at least, though in reality with an expansiveness which may bear it beyond many that are deemed the most extensive, and that are the most conspicuous. She who carefully and tenderly constructed the little boat of bulrushes in which the infant Moses floated safely on the Nile, unknowingly but holily contributed her portion towards the splendid triumph of Israel’s emancipation from Egyptian bondage. Nor less holy would have been her task, nor less divine her mission, had the child’s destiny been to feed the flocks of Jethro upon the pastures of Midian. From those to whom the physical safety of the infant human being in its fragility, or the soothing of age in its infirmity, is a care, to those who fill man’s little separate world with order, harmony, and gladness; to those who are as the fire from heaven that was said, in times of old, to descend and consume the sacrifice on the altar, and who kindle

and inspire all that is high and holy in human intellect or energy ; through all these, woman has her mission too, equal with, though varied from that of man, and often full alike of peril and of glory ; as was theirs who stood by the cross when the disciples fled, and came to the sepulchre before the disciples stirred.'

'The great difficulty of the preacher and the moralist, a difficulty only to be overcome by the co-operation of those to whom his exhortations are addressed, is, that men so often either mistake their vocation, or deny that they have one at all. This last is the negation of the religious principle, whatever be the professed faith and practised forms of the individual ; a worse negation of it than any form of speculative unbelief. There is no religion in him who considers not himself as part of a whole, and bound to act in relation to that whole. It is not religion, without regard of others to think of working out, or believing out, our own salvation ; that salvation being a future life of selfish gratification to follow a life of useless mortification or useless performances here. Religion is the link which binds all beings together ; the visible and the invisible, the rich and the poor, the sound-hearted and the broken-hearted, the prisoner and the free. If Christ knew his own mission, this is Christianity. Why should I not eat, drink, sleep, and live, solely for myself ? Why ?—because you were sent into the world for other and better things. Because this is not really living for yourself : nor is any thing, but the fulfilment of the purposes for which God created man upon the earth. Obligation is interest—the interest, *i. e.* that looks high enough, and far enough, to see the truth of things. There is no divine reward, *i. e.* there is no real and lasting happiness, but in the fulfilment of our appointed work, and that eventually is its own exceeding great reward.'—p. 12.

'Christian morality,' according to this expounder of the christian code, is

'the morality of philosophical utility ; that which has for its rule the production of the greatest happiness of all, and for its result the highest and most enduring happiness of the individual. The principle of this morality, which is alike the morality of reason and revelation, of future blessedness and present usefulness, is laid deep in our very constitution. Its foundation is in the essentials of humanity, of intelligent existence. It is in the fact that our own highest happiness is linked with, and requires, the consciousness of promoting to the utmost the happiness of others. This is the law of happiness, which, if men degrade or violate, their pursuit of happiness is only vanity and vexation of spirit. That this can and does impart the purest and most enduring satisfaction is alike evidenced by the reflections of the philosopher, and the observations of experience.'—p. 22.

'With the progress of reason, the notions of obligation, duty, obedience, become only the enlightened pursuit of happiness, according to those laws, material, mental, and moral, in conformity with which alone can happiness be realized. Not vainer was the alchemist's attempt, in



ignorant defiance of the laws of nature, to transmute the baser metals into gold, than is theirs, who, in equal ignorance of the laws of mind, attempt to distill happiness from the baser passions and propensities of our nature.'—p. 23.

How important it is that the particular precepts of morality should be modified, in different ages and under different circumstances, into accordance with the great principle on which morality itself is founded,—is thus illustrated.

'As virtue is the means of happiness, and as society with all its institutions and diversities of civilization and manners, must largely modify the way in which here we can make either ourselves or others happy, there must needs be a corresponding modification of what constitutes virtue. That which was the test of goodness to the young man in the text would now be but the demonstration of folly. "Sell all that thou hast and give to the poor." That would have been his not least way of promoting human happiness, his shrinking from which showed that he was devoid of the principle of goodness; but the man who should do this now would do only mischief to all parties. He would not secure any real advantage to the poor, he would exercise no moral power over the wealthy, he would only attract the pity or the derision of the entire community. He who loves the poor, will now find better ways of serving them and mankind. By promoting their education, their industry, their personal prudence, and their social rights, he will be following Christ in what the state of society makes the path of usefulness. This now is virtue. To make a literal observance of Christ's direction virtue, we must turn the world back again, to before the destruction of Jerusalem, and the promulgation of Christianity. The different condition of families,—for households without slaves and a despotic master, are a novelty since those days; the different condition of political society,—for that so many of the people should have a portion in the solemn responsibilities and wide influences of legislation, by representative government, is a novelty since those days; the very different state of mankind as to knowledge,—for the means of its rapid diffusion, and of the discussion of all its facts and principles, *i. e.*, the consequences of the invention of printing, is another novelty since those days;—these are differences which make novelties also in the list of those virtues and vices which powerfully bear upon human happiness or misery. They affect our opinions and our modes of disseminating them, our actions and their consequences. Free inquiry, the great theological virtue of these times, could have little scope, when the divine miracle was seen, and the divine messenger was heard. Patriotism could do little more than sometimes draw the sword for national independence. The duty of reading was a brief duty when the possession of a manuscript was almost that of a little fortune. Man can now do nothing for his fellow creatures in some cases, where then he might have benefited them; much, in many cases where then he could do but little; and perhaps, much more in some, where then he could have done nothing at all.'—p. 51.

When men are left without any clear, distinct, and systematic notion of what constitutes morality,—

‘They may be very conscientious, but conscience is only valuable in proportion as it is well-informed. Very foolish things, and very wicked things, are often done very conscientiously. “I cannot help thinking,” some one may say, “that I am quite safe, so long as I am guided by the Scriptures;” and I reply, “So you are:” for if you be guided by the Christian Scriptures you will admit the summary of duty to be, “Love your neighbour as yourself;” and if you do that, you will deem it incumbent on you to work out this principle into all the details which flow from it in our present state of social existence. It is not enough that you are affectionate and kind-hearted towards your neighbour; that you will not personally inflict injury, but do readily every friendly office; all this may be, and yet your love may only be like that of the child to the child, in well-meaning ignorance proffering a gratification which injures the health both of the giver and the receiver. Such is not Christian benevolence, nor therefore Christian duty or morality, or the law of the God of Christianity. The promotion of our own and others happiness is a work of intelligence, and not a blind instinct, or ignorant good-nature. We must study the principle in the details to which it is applicable. It is curious that, in a country which has been professedly Christian for ages, and where there are such ample foundations for the training of able and learned men, and such large rewards for them, and such classic and literary seclusions for their pursuits, this task should have been most efficiently performed by one who is understood to have been, to a certain extent at least, an unbeliever. But so it is; and with all our schools and professors, the late Mr. Bentham was the ablest expositor of what is really Christian morality, the true law of the Lord as to social duty, that our country or the world has yet produced. The whole of his writings are proofs and illustrations of the position that we shall find our own greatest happiness in the promotion of the greatest happiness of others. That is the rationale of “loving our neighbour as ourself.” It is loving him to some good purpose—and ourselves too. Had Christian divines done this, they would have been better employed than in most of their controversies and commentaries. That their labours have taken a different direction shows the need of another and greater reformation than any which has yet been achieved.’—p. 58.

In the sermon on ‘Blessing the Poor,’ there are some admirable directions as to the objects which those who are really desirous of benefiting the mass of the people should keep in view, and particularly a splendid passage on National Education.

The sermon on ‘Sabbatical Observances’ places in a clear light what the true observance of the sabbath is, and shows the real ground on which such observance rests. It would be vain to recommend anything so reasonable and so truly religious to

the hypocrites, bigots, and misbelievers who lately filled the country with so much clamour, and half disposed the legislature to convert the beneficent institution of a day of rest and recreation into an engine for conferring new and exclusive privileges on the rich, and of inflicting new privations and oppressions on the poor; but there are many whose correct political, moral, and religious feelings and aims this sermon will confirm and strengthen.

The sixth sermon, entitled 'Human Brotherhood,' is a most remarkable production. There are passages in it which exhibit a vividness of imagination, an elevation of thought, an intensity and truth of feeling, and a spirit-stirring eloquence, such as it would be not easy to parallel in any oration of ancient or modern times. The text is the declaration of Paul at Athens—'And hath made of one blood all nations of men;' and the sermon opens with the following passage.—

'Had the fact that Paul preached at Athens been mentioned without particulars, how great would have been our curiosity to know how *he* conducted himself who eminently ranks as a philosopher among the apostles, when he stood alone, an apostle among philosophers!... Nor is it to him alone that our interest clings; for, from the dawn of intellect and freedom, has Greece been a watch-word in the earth. There rose the social spirit, to soften and refine her chosen race, and shelter, as in a nest, her gentleness from the rushing storm of barbarism;—there liberty first built her mountain throne, first called the waves her own, and shouted across them a proud defiance to despotism's banded myriads: there the arts and graces danced around humanity, and stored man's home with comforts, and strewed his path with roses, and bound his brows with myrtle, and fashioned for him the breathing statue, and summoned him to temples of snowy marble, and charmed his senses with all forms of elegance, and threw over his final sleep their veil of loveliness: there sprang poetry, like their own fabled goddess, mature at once, from the teeming intellect, girt with the arms and armour that defy the assaults of time, and subdue the heart of man: there matchless orators gave the world a model of perfect eloquence, the soul the instrument on which they played, and every passion of our nature but a tone which the master's touch called forth at pleasure: there lived and taught the philosophers of bower and porch, of pride and pleasure, of deep speculation and of useful action, who developed all the acuteness and refinement, and excursiveness, and energy of mind, and were the glory of their country, when their country was the glory of the earth.'—p. 87.

After depicting the spectacle which presented itself to the eye of the Apostle, and describing the associations and feelings which filled and agitated his mind in this 'palace of intellect and sanctuary of idolatry,' the preacher thus proceeds.—

‘Probably no scene of mortal creation was ever so enchanting as that presented in a walk through Athens during its splendour. From the plundered and disjointed fragments of its beauty, our artists draw their noblest inspirations; and in them our country boasts a treasure of which all civilized nations may envy the possession. Oh! to have seen them glittering in their own sunshine, in proud harmony with the temples from which they have been torn; to have passed through those streets which were but long galleries of godlike forms in marble, and ascend that Acropolis which was the citadel, not only of their safety, but their fame; to have witnessed the living magnificence of their worship, and especially of their festivals; the gorgeous attire of their priests; the solemn pomp of their sacrifices; the interminable variety of their processions; the multitudinous concourse of their citizens; the clouds of fragrant incense that alone could obscure their transparent atmosphere; the thrilling delight of music resounding from roofs whose beams had been the masts of Persian fleets; the majesty of their theatres, which inspired the sense not so much of pleasure as of sublimity; the agonizing excitement of their games, and the distribution of those simple prizes of the palm-branch, or the crown of olive, pine, or parsley, for which Europe has no sceptre or diadem, that the victor would have taken in exchange must he have bartered his Grecian glory too; to have seen these, and idolatry pervading them all as their vital spirit, and reigning by them over hearts and minds, might rouse the zeal of a Paul; but a feebler faith would have dissolved in the enchanted cup, and been incorporated with the profane libation.’—p. 90.

The spot on which the Apostle stood, and the thronging auditory which he had gathered around him, are thus called up to mental view.—

‘He would feel the imposing associations of the spot on which he stood, where justice had been administered in its most awful form, by characters the most venerable, in the darkness of night, under the canopy of heaven, with the solemnities of religion, and with an authority, which legal institution and public opinion had assimilated rather with the decrees of conscience and of the gods, than with the ordinary power of human tribunals. . . . . And beyond the city, clinging round its temples, like its inhabitants to their enshrined idols, would open on his view that lovely country, and the sublime ocean, and the serene heavens bending over them, and bearing that testimony to the universal Creator, which man and man’s work withheld. . . . . There was that multitude, so acute, so inquisitive, so polished, so athirst for novelty, and so impressible by eloquence, yet with whom a barbarian accent might break the charm of the most persuasive tongue; over whom their own oligarchy of orators would soon re-assert their dominion in spite of the invasion of a stranger; and with whom sense feeling, and habit, would throw up all their barriers against the eloquence of Christianity. There would be the priest, astonished at an attempt so daring; and as the speaker’s design opened on his mind, anxiously, and with alternate contempt and rage, measuring the strength of the Samson

who thus grasped the pillars of his temple, threatening to overwhelm him, his altars, and his gods beneath their ruins. There would be the Stoic, in the coldness of his pride, looking sedately down, as on a child playing with children, to see what new game was afloat, and what trick or toy was now produced for wonderment. There the Epicurean, tasting, as it were, the preacher's doctrine, to see if it promised aught of merriment; just lending enough of idle attention not to lose amusement should it offer; and venting the full explosion of his ridicule on the resurrection of the dead. There the sophist, won perhaps into something of an approving and complacent smile, by the dexterity of Paul's introduction; but finding as he proceeded that this was no mere show of art or war of words, and vibrating between the habitual love of entangling, bewildering, and insulting an opponent, and the repulsiveness which there always is to such men in the language of honest and zealous conviction. There the slave, timidly crouching at a distance to catch what stray sounds the winds might waft to him, after they had reached his master's ears, of that doctrine, so strange and blessed, of man's fraternity. There the young and noble Roman, who had come to Athens for education—not to sit like a humble scholar at a master's feet, but with all the pride of Rome upon his brow, to accept what artists, poets, and philosophers could offer as their homage to the lords of earth. And there, perhaps, aloof, some scowling Jew, hating and hated, loathing the contamination of idolaters, but glaring with savage fury on the apostate son of Abraham (as he would deem him) who held so much communion with their souls, as to invite them to a union of love and piety in the name of the detested Nazarene. And if for a moment Paul felt, as one would think man must feel, at being the central object of such a scene, and such an assemblage, there would rush upon his mind the majesty of Jehovah; and the words of the glorified Jesus; and the thunders that struck him to the earth on the road to Damascus; and the sense of former efforts, conflicts, and successes; and the approach of that judgment to come, whose righteousness and universality it was now his duty to announce. Unappalled and collected he began, "Ye men of Athens, I perceive that in all things ye are [more than ordinarily disposed to the reverence of that which is divine\*]. For as I passed by and beheld your devotions, I found an altar with this inscription, TO THE UNKNOWN GOD. Whom, therefore, ye ignorantly worship, him declare I unto you. God that made the world and all things therein, seeing that he is Lord of heaven and earth, dwelleth not in temples made with hands; neither is worshipped with men's hands, as though he needed anything, seeing he giveth to all life, and breath, and all things; and hath made of one blood all nations of men for to dwell on all the face of the earth."

'What a glorious, what a beneficent doctrine! Had this single truth been all that revelation taught, it would yet have been most worthy of

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\* *δαισιδαίμωνες*. What an ignominy, that the finest exordium in ancient oratory should be sunk into anility, through the blundering translation of a church to whom correction of all kinds is a *quasi* emetic.—*Ed.*

God to bestow, and of man to receive with joy and gratitude. It identifies all nations ;—it asserts the affinity of all the families of the earth ;—it proclaims *the brotherhood of humanity*. The Apostle Paul might well bear the scornings of the proud sophists of Athens, strong in the philanthropic consciousness of having such a truth as this to teach them ; descendants of demi-gods as they thought themselves, and masters of slaves as they were. How magnificently does it level distinctions, whether of colour, rank, nation, or religion !.... What prejudices have been already beaten down by it, and how many prejudices yet exist to which it is opposed, and which it shall yet beat down ! That there are in the world different classes of men, heaven-born and earth-born ; the blood of some a celestial ichor, to which that circulating in the veins of others is but as base puddle ; that there are different races, with such disparity that it is for some to be luxurious lords of creation, and others their saleable, fettered, tasked, beaten, and branded beasts of burthen ; that a man's clan or country has exclusive title to his affections, exertions, duties, concentrating everything within that narrow circle except a pitiless hostility to all of human kind beyond its narrow boundary ; that there are natural antipathies—hereditary national antipathies, which should make mighty and enlightened countries each other's foes from generation to generation, and from age to age, desolating one another and all the world around them, each dreaming that the evil of its neighbour was its own good ; as if the poverty of millions in one country could make a neighbouring country rich ; as if the slavery of one country could make another country free ; as if the misery of millions in one country could raise another to the summit of felicity ; and that there are in the sight of God, man's Maker and Father, eternal differences and distinctions ; some walking the earth in the pride and glory of his inalienable blessing, others born, living, dying under the influence of his wrath and curse ;—differences sometimes evaporating in spiritual pride or busy zeal ; at others, shaping themselves into the more noxious forms of alienation, persecution, denial of the courtesies of life, and infliction of the bitterest injuries. These were, and these are, under the various modifications produced by ancient and modern modes of thinking, evils which the Gospel was given to mitigate and to annihilate ; with which its spirit maintains everlasting warfare ; against which it appeals to our piety, our benevolence, our justice, our consciousness ; confronting which, in their strength, it rears its banner with the inscription which, in the day of their destruction, it will place upon their tomb, that " God hath made of one blood all nations of men."—p. 96.

' *One blood* is one essential mode of existence—one physical and moral constitution. Man is one, for men are of like " parts and passions." The principles of thought and feeling obtain alike with the operations of the brain and the pulsations of the heart. Hence it is that we can reason universally on man ; and know that oppression will degrade, injuries exasperate, kindness conciliate, and unchecked power corrupt. " His blood is like ours !" shouted a Marsillois peasant, as that of Louis XVI spouted from his headless trunk upon the guillotine. It was—and therefore it should not have been shed. It was—and therefore the expression should have been one, not of vengeance, but of mercy. It was—

and therefore that should have been, not an exulting shout, but a whispered caution—an admonition of the peril of weak humanity in power. Well were it if the master felt this before his slave had wrested emancipation from him, to check his tyranny; and if the freed slave felt it after, to check his retribution.—p. 104.

‘O what a rebuke, what an admonition is here to tyranny, cruelty, bigotry, and all those baneful passions and bad principles which sometimes rage in man, with a ferocity unknown to the brute creation, making their own kind their victims!’

‘Oppressor, what are you crushing? Bigot, what are you cursing? Man-destroyer, legally or illegally, by your own hands or others, in the field or on the scaffold, by royal edict or assassin’s dagger, what are you mangling? The image of your God, in your brother’s person; and every drop of that stream you are spilling on the dust like water, is of your own blood. God made you and him of it—of the same, of *one* blood; that you might dwell on the earth in unity and peace, in good will and charity, and mutual affection. Think, proud ones of the earth, as you trample in scorn upon the necks of multitudes, that it is your own nature and blood that you debase in their debasement..... Bigots! drop the thunderbolt—hurl not even in fancy the eternal curse of the eternal God at a heart that throbs as sensitively as your own. Spirit of that Gospel whose name avarice and ambition have profaned so foully, possess the hearts of those who vainly take it on their lips; and let men learn, at length, the song of Angels, “Glory to God in the highest, peace on earth, good will towards men.”—p. 110.

Equally distinguished for correct feeling and eloquent illustration is the Fourteenth Sermon, entitled ‘Elevation of Sentiment.’ After observing that the very term ‘elevation of sentiment’ is apt to excite in some minds notions of affectation, cant, hypocrisy, turgid language, exaggerated emotion, and extravagant assumption, the preacher says—

‘All scientific knowledge leads up to principles characterized not less by their simplicity than by their comprehensiveness. All greatness of intellect tends to express itself in a style characterized by simplicity. The refinement of taste is a progress towards simplicity. The power of art is in the combination of simple elements on simple principles. The greatest operations and the noblest forms of nature are distinguished by simplicity. And such must be the characteristic of the loftiest moral character. It is “the double-minded man” that is “unstable in all his ways:” energy is the attribute, and success the frequent reward, of singleness of heart and of aim, of feeling and of purpose. With whatever qualities he may be gifted, a crooked politician can never be a great statesman. Chicanery and double dealing are mean and little, from the tricks of imperial diplomacy to those of the pettiest trade. All great philanthropists are simple characters; Howard was. All great philosophers are simple; Locke and Newton were. All great deliverers of nations are simple characters; Washington was. The affinities of evil are with complexity, and those of good with simplicity.’—p. 234.

‘ Were there a class of persons in society who, by some peculiar moral training, could bring themselves to, and maintain themselves in, a high degree of simplicity and sincerity, their moral power would be without a rival. The tongue of bigotry would falter in attempting to anathematize them; political faction would quail and shrink from conflict with them; wealth would feel its purse-proud heart sinking, and blush for its comparatively worthless accumulation; the lustre of the coronet would grow dim, and the ermine be a mere covering.’—235.

‘ In religion, what mistakes have ever been made about elevation of sentiment! and how low are many notions of being “above the world!” There were saints, as they were called, who planted themselves on the top of pillars and pinnacles, as if physical height were the object desired, and they were thereby so much nearer heaven. Others identified elevation of feeling with abasement of external condition, and because there were those who idolized riches, made vows of voluntary poverty, and with a falser moral taste than even that of the unjust steward who could not dig and to beg was ashamed, they would not dig, and to beg were not ashamed, but proud. Others thought it high and great to sever all natural ties and affections, and called denuding their souls of what makes the soul a rich and glorious thing, a devoting of it to God. These follies of past days are not passed away; they survive amongst us, though in varied forms.’—p. 237.

‘ *He* walks not with God who walks away from the works of God, in which God lives, into the region of his own unsubstantial fancies and fruitless reveries. The man who could only worship at an altar of stone had a lower spirit of piety than he who could kneel on the mountain, by the stream, in the upper room of a house, or in the deep, dark dungeon. The prophet who prayed looking towards Jerusalem had a narrower soul than that better prophet who prayed looking up to heaven. True piety is not the distinct work of a distinct faculty of the mind, but the upward direction of all its faculties, and the perfection thereby of all its thoughts, emotions, and pursuits. One man seeks things which are above: how? he shuts himself up in a cloister, and repeats words, with sacred names often intermingling therein. Another seeks the things which are above: how? he goes amongst men, in their daily avocations, and he promotes their loving one another as brethren, inasmuch as God hath made of one blood all nations of men. That is Christian elevation.’—p. 238.

There is not an intellectual power, nor a moral affection, nor a social condition, nor a private nor a public duty, not an impulse of benevolence, not a work of charity, not an emotion of piety, not a disappointment, or hope, or joy, or sorrow, but may here find something for stimulation, for repression, for direction, for solace, or for sympathy. How far the world of man has obscured the creation of God, how distant the conventionalisms of society are from the dictates of truth, and into what depths of misery they lead those who take them as guides to happiness, it has not entered into the hearts of many, perhaps



of none, adequately to conceive. Vivid and saddening glimpses of it are occasionally thrown out in this volume, which it must be confessed often leaves upon the mind an intensely painful feeling of the low estate in which humanity still remains; but it never creates mistrust of God or man, nor 'argues against heaven's hand or will;' nor 'bates a jot of heart or hope;' but shows why we should still 'bear up and steer right onward,' and in so doing opens views and cherishes feelings regarding the present, and anticipations of the future, which far beyond 'the Dorian mood of flutes and soft recorders,' have—

' ——— Power to mitigate and swage  
With solemn touches, troubled thoughts, and chase  
Anguish, and doubt, and fear, and sorrow, and pain.'

ART. VIII.—*The Statutes of the Realm.* Large Edition.

AS in common life the customer would reject an article of furniture, if the making were not in good fashion and workmanlike, and the material sound; so should the great customer of the state craftsmen reject their work—law-making, when discovered to be unsound in principle, and rickety and unmanageable in practice.

The last Session ended with a flourish of trumpets, and actor-like gait, as if the law-makers had much occasion for self-laudation; and because the public was little disposed to examine the quality of their doings very minutely, they have incurred less rebuke than they deserved.

Hitherto the practice of Parliament has been to concentrate attention on party questions, where rhetoric and sentiment had play; and the machinery of the Law has been woefully disregarded.

As the matter is at present, not one in fifty of the legislators understands the body of words called an Act of Parliament; and though a man of ability devise a good law, by the time it is clothed in its customary garb he cannot discern the features of his own offspring.

The lawyer charged with making the law, pulls down from his receptacles the precedents of similar clauses, and proceeds to work out the usual forms, often knowing nothing of the scope of the Act or its purposes, and still less of the principles which in any given particular ought to be the guide of legislation; and it is remarkable, that of all the laws introduced to the legislature, the official laws are the worst, always saving for signal exception the Irish ministerial Acts.

Probably the public is not aware that it is possible to write an Act of Parliament in good and intelligible English; and that oftentimes, by the simple erasure of every superfluous expression, a very clear and workmanlike law may be produced, much like a beautiful piece of statuary, which having been embedded in mud, and freed from its incrustation, becomes the wonder of beholders.

The crowd of words repeating the references to former and succeeding parts of the law, produce such interlacing and entanglement of the whole, that no man, lawyer or not, can venture to pronounce upon its effect; and this is further aggravated by the length to which this process extends the Act, and the consequent scattering and disconnexion of the parts.

There has been an amusing inquiry lately, as to the possibility of reducing the charge of *printing* these documents; which might have been easily solved if our sagacious legislators had inquired first whether it was not possible to reduce their dimensions.

This shall be first part of the present inquiry;—the words of an Act of Parliament. For which purpose shall be taken at random sundry Acts of the 1st and 2nd of William 4th.

In one Act, an Irish Act entitled ‘An Act for the extension and promotion of Public Works in Ireland,’ it appears that out of fifty-five pages, two are occupied by the repeated use of circumlocutory terms designating the commissioners—*id est* ‘the commissioners for the execution of this Act.’ By the constant use of these terms in the involved style of the Act, the reader is always kept at a distance from the meaning; and as no other commissioners but the Lords of the Treasury are mentioned, it was only necessary to say ‘the commissioners,’ inasmuch as the most quibbling lawyer could not have dragged the words into another meaning. If that however was to be feared,—by the simple expedient of an explanation once for all that the words ‘The Commissioners’ used in that Act should mean the commissioners appointed for the execution of it, all doubt would have been at an end. Of the same class of expression in the same Act are ‘the Lord Lieutenant or other chief governor of Ireland,’ the ‘Commissioners of his Majesty’s Treasury,’ which constantly recur, being mentioned two or three times in the same clause by reference back and forward.

The following is the 13th clause of that Act as it stands, and as it might be cut down for the purposes of real use.

‘And be it enacted that the Commissioners for the execution of this Act shall meet on such day after their appointment and

‘And be it enacted that The Commissioners shall meet on such day after their appointment and

day after their appointment and at such place as by the Lord Lieutenant, or the Chief Governor of Ireland shall be appointed; and that they shall, when so met, and immediately upon entering upon the duty of their Office, and before receiving any application for advances under this Act, in the first place frame and prepare such General Rules and Regulations, for effectuating the intents and objects of this Act, and for their own government and direction in receiving classifying and considering the applications which may be made to them thereunder and generally in discharge of their duties under this Act as they shall think fit; and that having duly considered and digested such rules and regulations they shall submit the same to the commissioners of his Majesty's Treasury for the time being to be by them revised altered or confirmed and the same shall be revised altered or confirmed accordingly and the said commissioners for the execution of this Act shall according to the true purport and meaning of such rules and regulations so revised altered or confirmed from and after a day to be by them publicly notified by a notice inserted in the Dublin Gazette, proceed from time to time to receive, or authorize their Secretary to receive, and they shall take into consideration all such applications as may be made to them under and conformably to the said rules and regulations. Provided always that it shall be lawful for the said commissioners from time to time, with the approval or by the direction of the Lords commissioners of his Majesty's Treasury for the time being to amend vary or

at such place as by the Lord Lieutenant shall be appointed, and shall when so met and immediately on entering upon the duty of their office, and before receiving any application for advances prepare such general Rules for effectuating the objects of this Act and for their own government in receiving, classifying and considering the application made to them thereunder, and generally in discharge of their duties as they shall think fit, and that having digested such Rules they shall submit the same to the commissioners of his Majesty's Treasury to be by them revised altered or confirmed accordingly and The Commissioners shall according to such Rules so revised altered or confirmed, from a day to be by them publicly notified in the Dublin Gazette, proceed from time to time to receive or authorize their secretary to receive and they shall take into consideration all such applications as may be made to them conformably to such Rules. Provided always that The Commissioners from time to time with the approval or by the direction of the Lords of His Majesty's Treasury may amend vary or annul such rules or adopt new Rules as the case may require, which Rules so altered or varied, or which new Rules, shall be as effectual as the Rules originally establish'd.

annul the said rules and regulations established as aforesaid or to adopt new Rules and Regulations as the case may require; which Rules and Regulations so altered or varied or which new Rules and Regulations shall be to all intents and purposes as valid obligatory and effectual as the Rules and Regulations originally established as aforesaid.'

This is a favourable specimen of the ordinary abuse of words. It would have been easy to have selected many clauses much worse.

It is one of 113 Clauses, all written more or less in the same verbose style; so that it may be computed, that by the mere striking out of superfluous words, the whole would have been reduced one third, or from fifty-five to thirty-seven pages. If this is a sample, every 30,000*l.* expended in printing might at once be cut down to 20,000*l.* For every 20,000*l.* necessarily expended, 10,000*l.* more is at present given as a bonus to somebody.

It would seem that the men who draw these Acts, do not understand their own language; otherwise they surely would avoid the mere repetition of the same thing in different words, as 'government and direction,' 'rules and regulations,' 'purport and meaning,' 'valid, obligatory, and effectual,' 'frame and prepare.'

Nor do they appear to be better acquainted with the scope of the directions of their Law. As in the use of the words 'under this Act,' in reference to the conduct of the commissioners who have no other authority; and the words 'for the time being,' in reference to the Lords of the Treasury when it is clear no other Lords could have been meant.

The number of words struck out of the above clause are not various, though many. They are for the most part the same words repeated; but the effect upon the intelligibility of the clause is very great.

But the mere length, or even the difficulty of understanding the Act, is not, in many cases, the only objection; the use of many words, with different shades of meaning but employed for the same purpose, gives rise to doubts as to the intention of the author of the measure, and on being omitted in other cases raises the question, whether there be any peculiar object sought by the omission.

In other writings, tautology may be avoided, and the harmony which is found in words of different sounds be at the same time a desirable object of study. But at all events, an Act of Parliament should be precise, not one word more or less being employed than is requisite to express the meaning; and every word should be the fullest and most apt word that can be found, —the word,—so that the meaning should be the clearest possible.

Were the Acts of Parliament so worded, they might even share with other compositions the beauty of good writing; especially if they were so constructed as to make the *principle* of the measure shine out, and all the parts were arranged in appropriate subordination and connexion.

Many of the words employed indicate an ignorance of the nature of an Act of Parliament, the scope of its authority, and the purport of words as used in relation to the purposes of the Act.

The most obvious and rational conclusion is, that the priests at Ephesus have an interest in the perpetuation of these costly absurdities.

Thus, in the most verbose Acts, evidently penned in the lawyer-like spirit of extending the length and the emolument by much wording, the words 'it shall be lawful for,' are used with each direction of the legislation.

In other more concise compositions the discretion to the party to do the act is given by the simple word 'may,' which saves sometimes a tenth part of the whole. In the same way such words are used as 'shall and they are hereby required;' as if the direction of the legislature were not sufficiently expressed by the one word 'shall.' So 'authorized and empowered and required' are abundantly employed.

Whenever an entire class can be named by one term comprehending the whole, a preference is given to the enumeration of each species. Thus if in one place it is required to say that no person employed shall do a given thing, the Act enumerates all the classes of persons, and to augment the number of words, uses both the plural and the singular number.

It is plain that these are either clerical artifices, or sheer ignorance; since in the best drawn Acts of Parliament it has of late been customary to direct that plural and singular shall be comprehended in each other when it would not be at variance with the context, and general terms are substituted for the enumeration of each kind of thing or person or place intended to be included, where the thing, the person, or the place, are all of a similar kind and in usual parlance comprehended in the same term.

With such earnest anxiety is it attempted to multiply words, that the following expression 'and be it further enacted,' which used only to be employed after the introduction of a Proviso limiting a former clause, is placed at the beginning of each clause; which is as much as to say 'In addition be it in addition enacted.'

Many words regularly travel together in couples, as 'due and payable,' 'from and after,' 'power and authority,' 'cease and determine,' 'intents and purposes,' 'all and every,' 'paid and discharged,' 'forfeit and pay,' 'fully and effectually,' 'authorize and empower,' 'under and by virtue of,' and many more *usque ad nauseam*.

'Nothing herein contained shall extend or be construed to extend in anywise,' must be used instead of the plain 'this Act shall not extend;' and in order to say that a thing shall be, it must be added that it 'shall be deemed and taken to be, anything in this Act or any of the clauses and provisions thereof in anywise notwithstanding.'

In short an Act of parliament is a fair image of parliamentary debates; it says fourfold more than the occasion requires. It would be endless to enumerate instances. Let each member when he employs another person to draw up his Bill, pay in the proportion of the simplicity and intelligibility of the composition, instead of according to the length. It is incomprehensible how men of sense can permit themselves to father the nonsense that word-seeking lawyers concoct for them.

If this be not done, the legislature should give a catalogue of all those troops of words which are to be brought in when any one of their number is required; that the man whose soul is bent upon the object of his measure, might swell it himself to the ordained dimensions.

The Irish Temporalities Bill is a favourable specimen of the prevalent absurdity.

But for the credit of some be it said, that all are not alike. And this want of uniformity is itself one cause of mischief. There is neither form nor principle to act upon.

This matter ought to be put under the special cognizance of a proper functionary. If the legislature were to employ a man to curtail these Acts and reduce them all to the same language, for the thousand a year now given to the Treasury Counsel; the country would save as much more in printing, paper, and all the *et cetera* of expenses, besides an unknown quantity of doubt and difficulty to the courts in discovering the obscured meaning of the legislator.

When the two ends of an Act of Parliament have been

brought as nearly as possible to one another, other improvements might be made.

Every Act should be accompanied by an analysis and an index.

The first might give an outline of the Act, in the order of its clauses; but the second would be most useful to our hurried legislators. It should point out every person and object affected by the measure. This would be good for the law maker, and good for the country and the legislature.

Thus, for instance, in the index, there might be general heads, as follows:—Persons affected by the Act. Places mentioned. By whom the Act or parts are to be executed. Contingencies. Acts repealed wholly. Acts repealed partially. Qualifications of officers. Their liabilities. When to come into operation. Procedure. Penalties.—In short, here the parts of the Act should be dissected, so that no part could escape attention.

In a little while, the least learned layman would understand of what component parts an Act of Parliament should consist; and though an objection would be taken by some, that many would read the analysis and the index instead of the Act, it may be supposed to be better than that they should read nothing at all, which is now commonly the case.

Besides, if by the extrusion of every unmeaning and unnecessary word the English language were introduced into our Acts of Parliament, it may be presumed that everybody who has the fear of his constituents before his eyes, would give some thought to what the most ignorant of them may by possibility come to understand, especially where their own interests are concerned.

But in addition to these improvements, another which does not admit of objection from any quarter, may be effected,—the arrangement and classification of the Acts passed in every session. Some years ago, an innovation was made in the olden method; the local and personal Acts were separated from the national. It is now proposed, that a still further division be made.

The Acts passed in any one session concern the Public Service (including the Crown), the Public Offices, the Army, the Navy, the Militia, the Excise, the Customs, the Stamps, the Land Revenues, Public Works, the Debt, and the Appropriation of the Supply.

Next, the Administration of Justice, Civil, Criminal.

. Next, Regulation of particular trades, and under these heads are included the Acts which relate to Great Britain, to Ireland, to Scotland, to the Colonies.

The Colonies might for the present form a separate division, because the laws passed for them must in their nature be peculiar; but there seems no reason why the laws relating to the domestic affairs of England, Scotland, and Ireland, even when they relate to one of them exclusively, should not come under the general head above indicated.

The legislature might then have some chance of knowing when it was about to establish an exception in favour or to the disadvantage of some part of the kingdom, and why the exception should be made.

In the same Session this might prevent the enacting of laws, ostensibly for the same purpose, with diverse provisions; and the end might be the assimilation of the laws of the different parts of the British dominions comprised in the Union.

The examination of the Acts passed in half a dozen sessions would point out the best mode of classification in any other particulars.

Having adopted some ten or a dozen leading heads or chapters, these might be divided into sections, and the sections into paragraphs.

Thus, for instance, the Public Service would divide itself into the Crown—the Legislature—and the different departments.

When a new law was about to be passed on any one subject, all the laws upon the same subject might be consolidated; and, as every part of the law is probably touched in the course of four or five years, the whole might be consolidated in that time.

But as a guarantee for good workmanship, no law should be received until it had been referred to a Committee of the House, to report in connexion with it upon the following points.

1. Chronological statement of the Acts passed from time to time upon the same subject.

2. Chronological statement of the decisions of the Courts upon those Acts and the branch of law which they concerned.

3. Chronological statement of petitions and debates, and proceedings of the legislature, from time to time on the subject, including Reports made by Committees and Commissioners.

4. Statement of the views of different public writers on the subject.

5. The opinion of the Committee as to the state of the question; whether further inquiry was necessary, and on what points; and giving a scheme or outline of the investigation.

6. The opinion of the Committee on the Bill submitted to the legislature.

These Reports having been made, the House would be able to learn whether it was in a condition to proceed; and if it



should direct an inquiry, the result would probably not be an abortion.

There would be much economy of time, and effort, and expense in this method; and its tendency to curtail the debates, or direct them to the question at issue, by substituting clear and specific information for ignorant and hard-faced assertion, is of itself sufficient to recommend its adoption.

These steps are suggested, as being capable of instant adoption; they might fall in with the present ways of the House.

With respect to the division of the subjects under appropriate heads, the difficulty is much less than it would seem; and indeed the whole work of consolidation, if honestly intended, might be effected in the short space of five or six months.

On every branch of law there are able treatises, written in intelligible English, and appropriately arranged; let a Commissioner be charged with reducing one of these treatises into an Act of Parliament, by changing the language of instruction into the terms of enactment. Where there are questionable points, let the whole debate upon them be extracted, and one side or other of the questioned point inserted in italics, to be afterwards mooted in the Inns of Court, or in the Courts of Law.

A bookseller's catalogue will give the names of all treatises; and if there be no better, Blackstone's Commentaries would give the leading divisions,—not to hurt prejudices by mentioning the French or any other foreign code.

Fifty men in less than six months might accomplish the work of consolidation.

A superior class of Commissioners might then report on the general policy, and the disputable questions, of each branch.

If in the meanwhile the legislature touched any part of the law, the whole of that branch should be brought under its notice.

Twenty thousand pounds would accomplish the whole, for England, Scotland, and Ireland. One set should not be touched without the other;—for if a law be good for one part of the kingdom, there ought to be some very special reason why it should not be good for all. At least, the legislature should know the differences.

Whatever the lawyers may say against codification, they can say nothing against consolidation; which is codification. Such is the value of a name. And the legislators, who are called fools for not understanding their own words, and are for ever at the mercy of lawyers, without whom they cannot read their own laws, and who are only better *guessers* after all, have no interest (but the reverse) against consolidation.

It matters not by what name the work be called, but what is wanted to be known is, 'What is the law.' And this question is answered more or less fully by many legal writers, who writing for a different purpose have written honestly. To render their works available it is only necessary to abridge them of all that is useless,—to alter the terms, as above suggested,—to reduce them into chapters, sections, and paragraphs. Each paragraph should contain a simple proposition;—that is, one substantive object;—with those accessories only that are indispensable. The law-maker should have a special regard to the unities of object, time, place, and person.

The chapters should have one series of numbers, and the sections of each chapter another series, and the paragraphs of each section another series;—to admit of the incorporation of additions, and the substitution of improved for defective portions;—an improvement on the French code.

The whole should have, as above suggested, an analysis, with the heads of chapters and the heads of their respective series, and an index. It is by an index only that all the parts of the law concerning different persons, objects, and places, can be brought into connected view, in order to an accurate construction of the general and particular purposes of the law. The index therefore should be as much a part of the Act as the body of it;—and this would remove another defect of the French code.

Moreover each Act should have a short title, by which it might be generally known. This is done with the Bill in its progress through parliament, but usually dropped afterwards. There is precedent for this suggestion, as in the Statute of Frauds—the Reform Act—besides many others.

The present mode of citing an Act, by a reference to the year of the king's reign, is very absurd, and no help to the memory.

On this point Blackstone says:—

'The method of citing Acts of Parliament is various. Many of our antient Statutes are called after the name of the place where the Parliament was held that made them; as the Statutes of Merton and Marlbridge, of Westminster, Gloucester, and Winchester. Others are denominated entirely from the subject, as the Statutes of Wales and Ireland, the *articuli cleri*, and the *prerogativa regis*. Some are distinguished by their initial words; a method of citing very antient, being used by the Jews in denominating the books of the Pentateuch; by the Christian church in distinguishing their hymns and divine offices; by the Romanists in describing their Papal bulles; and in short by the whole body of antient civilians and canonists, among whom this method of citation generally prevailed, not only with regard to chapters, but inferior sections also; in imitation of all which

we still call some of our old statutes by their initial words, as the statute of *Quia Emptores*, and that of *Circumspectè Agatis*. But the most usual method of citing them, especially since the time of Edward the Second, is by naming the year of the king's reign, in which the statute was made, together with the chapter or particular Act, according to its numeral order, as 9 Geo. II. c. 4. For all the Acts of one Session taken together make properly but one statute, and therefore when two Sessions have been held in one year we usually mention Stat. 1 or 2. Thus, the Bill of Rights is cited as 1 W. & M. st. 2. c. 2, signifying that it is the second chapter or act of the second statute, or the laws made in the second Session of Parliament, in the first year of King William and Queen Mary.

If the Acts of any one Session were very few in number, it might not be unreasonable to cite them as above; but when they exceed a hundred, it is plain that the mode must give rise to confusion.

This is a matter to be emphatically spoken of, seeing that it is one method of concealing from the people the laws, which it is presumed that they are to know.

Had the laws of the last fifty years been arranged according to their subject matter, both constituents and members would have learnt their nature. It is now the commonest thing in the world, for the senator who has passed the law to be ignorant of its existence, even at the close of the Session.

If the laws were arranged appropriately, all the considerations belonging to that class of law would naturally suggest themselves; and, with the aid of the analysis and index, matter not pertinent to the general object of the bill would be detected.

During the last Session there were several instances of passing one thing under the name of another. In the Bill for the prevention of the Forgery of Stamps, the duty upon Soda water, and upon some plated articles, was abolished. It is true that all these articles came under the cognizance of the Stamp-office, but could any one suppose that in an Act with such a title taxes would be found repealed. In consequence the fact of their repeal was not known to the parties concerned till a month or two afterwards.

Again, in the Bank Charter Act, the law of usury is partially repealed;—that is to say, on bills of exchange having a shorter period to run than three months, a higher rate of interest than five per cent may be taken.

Though this was part of the ministerial scheme for adjusting the currency, it was no part of the convention with the Bank. In consequence, a doubt may arise, from the clauses being put into the body of this Act, whether the provision was intended to apply to any other transactions than those with the Bank.

These are specimens of workmanship. In different forms, the same evil goes through the whole of our system of legislation.

But the most remarkable and most universal objection of this kind is the necessity, arising from our defective institutions for the administration of justice, of establishing peculiar methods of procedure in many cases, as well as of enacting the law. Thus almost every subject is beset with peculiarities of form or penalty, or with references to the methods by which the law in the case shall be enforced and the penalties incurred be levied.

The different schemes, and their variations, to which this has given rise, would furnish from the acts of the legislature itself, the best answer to the objections to a universal plan of local courts.

There seems to be no reason why there should not be an Act declaring all the penalties which attach to all sorts of offences. This would be the best method of consolidating the Criminal Law.

Let there be two returns, one showing the gradation of enormity of the offence, in a second column the punishment on the first offence, and in a third column the punishment on the second offence; and if there are alternative punishments, the second and third columns showing in each case the alternative.

The second return should contain the name of the penalty in its gradation of amount, with the crimes and offences to which it attaches in parallel columns.

If all the sorts of penalty were in the latter manner to be arranged and numbered; and made the subject matter of a distinct enactment, other Acts might refer to the scale as to a standard.

In the case of pecuniary penalties and forfeitures, the mode of recovering them ought to be declared in one Act; and if there are to be two methods, one summary by the aid of Justices and the other by action, the mode and conditions of these two methods of procedure should be set forth.

By this expedient, economy in printing might at once be obtained, and all men might attach a distinct idea to penalty. The subject would cease to burthen every Act.

The same remarks apply to other clauses which are commonly employed in different classes of subject. Thus, for instance, when for purposes of public improvements, for turnpike roads, harbours, and other public objects, an inquest is to be held to determine the value of property taken for the public, the method of proceeding might be laid down in a general law. So with respect to the provisions for disposing of

the purchase money in such cases, to which many parties, some at present and others in reversion, may be intitled.

Again, the repealing either wholly or partially of former Acts ought to be done by Schedule, for the sake of greater clearness. The first clause might enact the repeal of the Acts contained in the annexed schedule. This would disencumber the Acts of all dead matter, and furnish the ready means of ascertaining what are repealed and what are not.

But here again as in the case of penalties, there should be prepared an authenticated List of all Acts in existence, arranged in chronological order; and all those repealed should be ruled through with a black mark, and those partially repealed with a red mark. In a parallel column it might be stated by what subsequent Acts these Acts were repealed.

A little grocer would do all these kind of things with his peppers and his pigtailed; but neither lawyers nor law-makers have the interest of little grocers.

Gradually as before described, the laws relating to each class of subject might also be arranged chronologically; and the Acts repealed wholly or partially, struck off in the same manner.

Many people laugh at the blunders of legislators; but individuals are only to blame for not struggling to remove the difficulties which are immense. There is not probably a greater labour than the making of a law, in the present state of our judicature and the laws, and the means of information within the reach of members. It is not wonderful that so few attempt the work of legislating completely; seeing that the thanklessness and improbability of success, are only to be matched by the labour and the cost.

The cause of the *excessive* legislation that takes place, is the bit-by-bit manner of proceeding. A more deliberate and painstaking investigation at the outset would prevent the making of bad laws, and thus save one half of the amending and explaining Acts to which the hurried blundering now gives rise. And the changes which altered circumstances render necessary, would be reduced in number, if the legislation proceeded upon principle, instead of making petty attempts to cope with peculiar, casual, or merely incidental circumstances, which ought to be left to work their own cure.

If the work were undertaken in the true spirit of liberty,—that is to say, of leaving people as much as possible to their own care,—a great portion of the toils which benevolence, or meddling, now throws upon the members of the legislature, would be withdrawn to the infinite benefit of all that are to be affected by their labours.

ART. IX.—1. *Essai historique et politique sur la Révolution Belge.*  
Par M. Nothomb.—Bruxelles; Meline. 1833.

2. *La Hollande et la Conférence.* Par G. Gobau de Rospoul.—  
London; Fellowes. 1833.

**WHAT** happens, and does *not* happen, in relation to a country with which the communications are so open as with Belgium,—the dawdling of conferences, and the alternate hopes and fears of the friends of civilization on the one side and its enemies on the other,—are matters of too much notoriety to need the trouble of recounting. But the general principle involved, is a point on which it may not be altogether useless to freshen the recollection of the public.

When the *revolution* (as it then was) of 1830 broke out, the friends of popular rights in England were exceedingly anxious to see the French take Belgium. They knew that the separation of Belgium from France, was the great trophy of an unjust war, in which the *British people* were the really trampled on; and that it was valued simply as giving to the barbarian powers the back-door to France, to enter whenever it should be for the interest of themselves and their allies the plunderers of the British people at home. All sensible Englishmen not personally engaged in the grand fraud, were aware from the moment that the fumes of a brutish John-Bullism had had time to settle, that *they* were the beaten at Waterloo, and that their enemies considered it as the seal and sacrament of their everlasting subjection. If any were dull enough not to find it out, a Cabinet minister explained it to them in express words, when he asked whether ‘in the existing state of the continent’ there was any chance of resistance by the English people to their governors at home. The interest of the English people in seeing the French recover Belgium, was therefore as veritable and profound in principle, and only second in practical degree, to seeing the Cossacks driven out of Devonshire and Cornwall, if by any accident they had got possession of that peninsula. It mattered not that a Tory government might be their ally; the Tory government would only be the home enemy, and the Cossacks the foreign. By the grace of God upon good counsels, both one and the other are at present pretty well removed from being subjects of apprehension.

In pursuance of this conviction, the bolder part of the friends of civil and religious liberty, who saw what the crisis might be made of and kept their wits about them in the gale, left no effort untried to demonstrate the perfect facility of recovering the important out-work of Belgium, from the

moment it was manifest that the English Tories were staggered at the display of feeling with which the Three days of July were received in England, and hesitated to advance. The defeat of the people's enemies was then decided; and all the people wanted, was too see their foreign allies re-occupy the *tête-du-pont*.

But a new phenomenon intervened. The French, directed partly by weakness and partly by treachery, could not be persuaded to take what lay before them; and in the mean time the Belgians made a revolution of their own. This was quite another statement of the problem. When a gentleman has been asked to take a lady and declined, he assuredly has no cause of complaint if she makes her own arrangements afterwards. France had been asked to take Belgium, and would not; the English Liberals did the honest thing, and nobody can fall out with them now, if they desire to make the best of circumstances as they are, both for themselves and for the world's community. And the fact is, that as things have turned out, the establishment of Belgium as an independent power is an event of infinitely more promise than the other, both to England and to the rest of the great partnership of civilized communities. But nobody could be expected to say in July, 'Wait a little and the Belgians will make a revolution in October.'

In the first place, it has operated most beneficially as removing the remnants of national jealousy, which would always have acted upon a well-meaning portion of the British public, and prevented their cordial acquiescence in the deliverance of Belgium; and so far has added to the cementing of the common union of free states. The change effected, is like what takes place when rival houses agree to end their feuds by setting up a common interest in the shape of a new family by marriage. Belgium is the common daughter of the two great quarrelling communities. On all the members too of the *under-ground* alliance which is carrying on among nations, and particularly on those who will be 'first turn' whenever the European league begins to move forward against the barbarian,—the effect could not be otherwise than good. The reflecting portion of the French nation may be the first appealed to, whether the conduct of the government which has succeeded to the days of July has been in all respects such towards friends and enemies, that nothing could possibly be added to the confidence of foreign nations. It is at the same time undeniable that the military transactions of the French in Belgium, have greatly increased the confidence of mankind; and there is the very lesson to be learned. Would the apparition of the *two great tricolors* in the

Mediterranean, be less effectual than in the Scheldt? When the time comes for the delivery of Italy and Poland, will Italy and Poland be less apt to grasp at the assistance, because England and Belgium are there as guarantees? In the present condition of civilized Europe, the desirableness of accumulating military power in vast states, is a fallacy. There is much more to be hoped, from a moderate extension among many. And the reason is, that the contest to be carried on, is one that depends on the exaltation of a common feeling which within certain limits is increased by subdivision, much more than on the mechanical organization of the energies of a few great powers. There is but one military idea in Europe at present; which is the driving back the barbarian 'to his frightful deserts,' and the total destruction of the insolent interference he has exercised, through a league with the traitors of all countries, with civilized communities. Men are born for it; some die before they see it; and the rest live on in hope. It may come through military means, as the evil did; or it may, in a greater or less degree, be effected by the action of gentler agents. But in one way or other, it is the thing to be done; and the man who does not prepare for it, is a simpleton that cannot construe the signs of the times. In this view it may be fearlessly stated to the honest and the thinking among the French people, that any diminution of national importance or dignity arising to France from the independence of Belgium, is compensated over and over by the benefits accruing to that great cause, in which France has always been and will continue to be the leading actor.

To the Belgians it can scarcely be necessary to point out that independence is a good; so long as it is accompanied by reasonable security for its reality, in reference to the existing circumstances of other powers. If the leading idea in Europe at present is the repulse of the barbarian, the first accessory is the raising up and gradually strengthening and extending a minor class of independent powers, whose union shall be available for the public good and not for public evil. To oppress, there must be a small number of great powers; for a great number of smaller ones can never be kept together for the purpose, though for a strong and overwhelming interest, their common independence, they may be united as one man. The same phenomenon has been seen before on another scale. When society in a given country,—as in France or Great Britain,—was collected into masses under the feudal chieftains, these comparatively 'great powers' could keep up the union to oppress. But as they were diminished in size and increased in number,



just so fast did the power of combining to oppress decrease, and the power of useful action in the common interest gain strength. The example cannot be pressed without a limit; but it is an example in point, of the manner in which it is possible for useful power to be augmented by such a process. No doubt the outcry among the feudal possessors, against such proceedings, would have been great. What! strengthen the community by weakening the strong-holds of the lords who make its power? Just so; when these are the very men suspected of combining against the public good. It is not difficult to see, how different would be the state of Europe, if there were an independent Belgium, Italy, Greece, Turkey, Poland, with half a dozen independent sovereignties in Germany besides, checking each other in all objects except those where the common interest is manifest and unmistakeable,—compared with its state under the insolent direction of a few ‘great powers’ united in vast military governments, where three or four unholy hands may hold the chains of all. England has committed herself and is become one, in the system which must either liberate Europe or carry England with it in its fall. There is no sneaking out, for gentlemen who might wish to follow that course;—unless for the small remnant who, like her of Jericho, have been art and part with the enemy all along. It does not follow that the thing must be done in the same way as in the days of Marlborough; but in such manner as the circumstances of the world point out, England must apply her shoulder to the common concern, and see that in some way or other the thing is done, as she did in the days of Marlborough, or stand the consequences. Revolutions are not made with rose-water; nor adhered to either. It is true enough, as the Tory gazettes are fond of declaring, that the Reform Bill made England one of the *revolutionary powers*; and she must abide the chances with those with whom she has cast in her lot. If the people of England think they are to enjoy the luxury of freedom and other people be no better for it, they will find themselves mistaken; there never was, nor will be, a contest between two antagonist principles like those which now divide the earth, that ended but by the complete discomfiture of one party or the other. Englishmen must be ready to show their old tri-coloured rag, or at all events its influence, wherever national oppression is to be put down and national independence vindicated,—or they had better cry ‘*Peccavi*’ to the Tories before they are in worse humour, and beg them to take the rotten boroughs back again. England therefore, till a Tory re-conquest, is necessarily the friend of small independent states; to the reasonable extent

to which the interests of general freedom point to it. And the comparative harmlessness of her position with respect to them, is a circumstance which she has a rightful title to take advantage of, for her own honour and the general service. She can have no views of territorial aggrandisement;—not the smallest danger to an Italian republic from the personal or family ambition of any tenant of the British throne. She was made to be a centre of alliance and of guarantee, because she was made to be without the limits of temptation.

To the British people, this position by itself would be an important good; for it is hard to say wherein the keen sense of pleasure which the constitution of man has connected with the honour of his country, should find more inviting nourishment, than in a prospect so full of just splendour and veritable dignity. But the openings of other kinds are also vast. As soon as the feudal oppressor is cast down at home, no country can offer a more profitable interchange of the good things of life than Belgium. Whenever commerce shall be permitted by Act of Parliament, an older England than our own, stands ready to be the customer for everything the hither England wants to sell. The Flemings are the great-grandfathers of us English; a native of the northern counties has only to go there, and find the language, people, manners, scarcely differing from his own. There is no reason, in these days of steam-boats, why England and Belgium should not be connected in as close a bond of intimacy as Westminster and Southwark. One thing only is wanting,—to get rid of the oppressor at home. The Belgians too, have their oppressors, in the shape, apparently, of a *manufacturing* interest. These are the *Dutch* faction; and their object is to prevent the introduction of British goods, and keep up the remnant of the old 'Continental system.' When honest men can agree, their enemies on both sides sometimes come by their deserts.

The people of Belgium are full of alarms. They know they have but a handful of physical force, in comparison of the 'great powers' of Europe; and therefore they dare not call their souls their own. It is the policy of those 'powers' to oblige them to keep up that worst of second-rate curses, a disproportioned military force; by way of maintaining a source of irritation, and holding out a rallying point of complaint to their supporters. Of course the British embassy there, is employed in doing everything which can impress upon the Belgians the esteem felt for their nation and their independence, by the government which dispatched a fleet to the Scheldt in the hour of need,—and so co-operating with the

efforts which the British people has made and may hereafter make in their behalf. The happy union of diplomacy and arms, is the point on which civilized nations justly pride themselves as their first distinction from barbarians. But as the best instruments sometimes fail, it would be for the high advantage of both countries, if England would declare through the unmistakeable trumpet of her debates in parliament, that the British people would as soon give up the Isle of Wight, as permit themselves to be deprived of the advantages which God and nature have held out to them in the independence of their Belgian neighbours.

The great fear of Belgian individuals at the present moment, —the bugbear in their streets,—is Russia. The barbarous powers, as in the days of Marathon, threaten the civilized, and every free man is met by them in his common walk of life. 'It is not for our interest,' say the lords of the barbarian and the slave, 'that you and other men should be free. It is of evil example, and therefore you and other men shall not.' This is the policy that presses upon the western European, from Warsaw to Gibraltar. It is clear the Marathon must come; and one part of the machinery by which Providence has arranged for the improvement of the less civilized portions of human kind, is the stimulus which it has put upon them to be always bringing themselves under the action of the more improved. Barbarians might be let alone, if they would not run their heads against their better informed brethren; but they never will,—it is portion of nature's provision in their behalf. And it is at this precise moment, that the Russians bethink themselves of threatening England in India. The English ministry must be 'with opium drugged' or baser matter, if Mr. Babington Macaulay for his 10,000*l.* a year is not taking in his pocket the rudiments of a *levée en masse* there against Russia, in the shape of improvements in the government of India. And the government there is *not so bad*, to begin with. A huge empire like India, not bound to its rulers by national prejudices, must have a salt somewhere that keeps it from falling to decay; and that salt, without injury to great capabilities for amendment, is simply the notion of justice and integrity which despite of disadvantages the civil governors of India contrive to carry with them through all the passage to the Himalaya mountains. The theory of preserving India from Russia is brief; give the Indians all that England *can* give them and Russia *will not*, and multiply Englishmen to be the distributors. The Russians take India!—they had better think of defending Petersburg. The Russian Empire will be split into six republics

one and indivisible, before a Russian gives or receives the knout at Calcutta\*.

\* Of course, no man can have looked at Belgium, without seeing Waterloo. To a spectator who can view both sides, and has appliances for considering the whole at leisure, it is probably the most intelligible field of a great battle in the world;—an aspiring lieutenant of Volunteers, would have brought the whole away in his recollections. The first striking peculiarity about it, is the prodigious difference between the two sides of the position. Let a man stand on the point of the road near the monuments, between La Haye Sainte and the village of Waterloo, which is understood to have been the point occupied by the Allied commander during much of the battle, and the whole position to be defended is as a book before him. In a quarter of an hour he may know every part of it, as a farmer knows the corners in his own stack-garth. But let him move a short distance to the front, to the point where Napoléon is said to have quitted the field, where the road to Genappe is cut through a hill on the other side of La Haye Sainte,—and all is darkness. He has only to fancy himself an officer of dragoons sent to ascertain the enemy's whereabouts, and he will feel how impossible it is for him to know or discover anything, except by taking his life in his hand and riding forward till somebody drives him back. The position must be curiously *défilée* by nature. Assuredly 'the Lord' knows a good position when he sees it.

But what was the other side doing? It is next to inexplicable. How, why, from what combination of mental or physical circumstances, did the first strategist of that or any other age,—the Copernicus of modern war, who had upset all current theories by making the centre and the circumference change places,—the man who had proved and re-proved, that victory was not in the hardest heads, but in guiding the action of masses on particular points,—the military artist who had entirely blown up and demolished the old system of the *cordon* and of defensive positions in general,—by what immeasurable fatality came he, to allow an able adversary to chuse his position to the smallest niceties of locality and obstacle, and then attack him on those identical strong points one after another, as might have been done by an Austrian of the old school labouring to give posterity an example of the *décousu*? Was there a reduction of personal talent by misfortunes? Was it paralyzed by mistrust of subaltern agents? Or was it through thinking too lightly of an enemy, part of whom had been already beaten, and whom he seems to have considered on the whole as a prey left in his hands?

The Allied commander, intending for the present at least to take the defensive, had of necessity made the best arrangements for defending the strong points of his position. As a mere elevation, the *plateau* of Mont St. Jean that has been talked of, is nothing,—it is not comparable to the *plateau* of Holborn Hill. But there were advantages of other kinds, as stated before; and there were two defensible houses and grounds, one, Hougomont, at the salient angle of the defensive line, and another, La Haye Sainte, on the high road to Brussels, further to its left. To these, as was to be expected, the defensive commander sent some of his best battalions. The Guards were at Hougomont, and the cool phlegmatic Germans, the schoolmasters of the British army in everything that related to precaution and precision of obedience, were in the other. The Rifle corps too, a *corps d'élite* in consideration of its weapons, was posted where it would be actually most useful, *provided always the enemy would be charitable enough*

ART. X.— 1. *Mélanges Philosophiques*. Par Théodore Jouffroy.— 8vo. Paris. 1833.

2. *Appel en faveur d'Alger ; et de l'Afrique du Nord*.—8vo. Paris, 1833.

3. *Aperçu Historique et Statistique sur la Régence d'Alger ; intitulé en Arabe le Miroir ; par Sidy Hamdan ben Othman Khoja, fils de l'ancien secrétaire d'état (makatagy) de la Régence d'Alger*. Traduit de l'Arabe par H..... D..... oriental.—8vo. Paris ; Gaetschy. 1833.

THE books whose titles are placed at the head of this paper, expose errors which have long misled the people and the governments of Europe. The two first come from the pens of Europeans. The last, from that of a native of Algiers ; and

to come there to be operated upon. Now who would, or who could, have dreamed, that the great strategist would do nothing but take all these bulls by the horns, one after another ? All defensive positions would be successful, if the adversary would attack them on the points where there are best advantages for receiving him. Few defensive positions are successful, because the adversary is generally cruel enough to attack them in quite a different place. There needs no extraordinary combination of ideas or of experience, to know that in attacking a defensive position, the first object is to upset what is likely to have been the theory of the defendant for his defence. At all events be sure, that as *you* the assailant must act upon view of circumstances in a great degree previously unknown, you will make the *other* do the same. Do not take the cat out of the mouth of her bee-hive, if there is any possibility of coming at her another way. The necessity of going in at the mouth of the bee-hive, is in fact what makes the difficulty of carrying a breach by storm ; there would be small policy in taking the defendants by the breach where they are in waiting, if there was a possibility of coming at them any other way. The system is as palpable in politics as in war ; *always to drive the pick-axe where it will go*, and not where it will not.

What then did the French commander do ? He comes down in the afternoon, and lies all night in sight of the other army loop-holing its farm-houses and acquainting itself with its position. The next morning he is there still, and at eleven in the forenoon he attacks the point which every peasant in the country probably knew to be the strongest in the line, Hougomont. 'Fifteen hundred dead,' said M. Jacques Pirson, 'we burned on that ground in front of the house, with the wood that grew there then.' After throwing away here the hopes of fifteen hundred villages *pour encourager les autres*, artillery was brought down to do what might have been done before, and the buildings were made untenable ; though still there remained the English army to fight behind them. There is something in the idea of chusing to fight a man in the place where he has a house-side to cover him, which is only to be matched by the operation of the olden general who halted to let his enemy's two armies join, that he might beat them both at once. After this useless slaughter by way of whet, about two in the afternoon commenced a series of attacks on the left centre of the Allied line, on the other side of La Haye Sainte ; where, as was to

in it the prejudiced and the oppressor will find proof, that civilization is not limited to those who profess Christianity but are negligent of its best precepts.

The first of these books exhibits Europeans upon new ground, relatively to other races of men. The second contains a short exposure of the barbarous proceedings of the French at Algiers since July 1830. The third is a description of Northern Africa, written by a learned native, upon the spur of those barbarities.

The subject of the intercourse of Christians with Mohammedans, which is discussed in various ways by all these writers, is older than the Crusades. The novelty in their discussion is, that in effect they call upon Christians to be just to the millions whose only sin is the sincere profession of the Moslem

be expected with staunch troops on both sides, the troops that advanced to the attack were mowed down by the fire of the troops who had occupied the advantage of the position beforehand. The Wavre road, described as then furnished with hedges on each side, may be considered as in great measure defining the Allied position; and every man has it in his power to judge, supposing both sides to stand equally well to their work, whether the holders or the attackers of a road with a double hedge, are placed by their commander in the most likely situation to be physically annihilated. It was then that General Picton was killed.

Towards seven in the evening commenced the last series of attacks, at La Haye Sainte; the farm-house there having been previously carried by the destruction of the defenders. And here is to be noted the most extraordinary fact of all. The French right under Lobau had disputed the ground with the Prussians all the way from Frischemont to Planchenoit; the Prussians had taken part of Planchenoit at half-past six, and were afterwards driven out by the Young Guard; and the French were fighting at the same time at La Haye Sainte on the Brussels road and at Planchenoit, *a line drawn from La Haye Sainte to Planchenoit making with the Brussels road an angle of thirty degrees*. The vulgar idea among Englishmen is, that as soon as the French discovered the Prussians on their right, they voted their position a bad one and moved off. There were stories of Napoléon's saying, that the English did not know when they were beaten; but the English, who in general know little about the matter but what their Tory governors were pleased to point out to them, have no idea to what an extent the French that day carried the principle of refusing to acknowledge themselves in danger. Their opponents never were in any systematic danger, except that of being forced by a bold enemy in front; they were not turned, they had nobody upon their flanks or rear, they had simply to hold out and repulse the enemy if they could, in a position where all the physical advantages were on their side. There perhaps never was an occasion where men fought, hoping against hope, so desperately for victory. Of necessity, when that hope was lost, there was but one chance of escape,—the possibility of retiring from the angle, faster than the enemy could move along the opposite side of the triangle. It was then decided that there must be a rout, and all the knowledge and courage in the world could not make it anything else. The

faith; and it is a call which ought to find many an echo in these times of universal emancipation. The cause is that of

courage and the military miracle, was in men's waiting to such a moment, in hopes of carrying off the victory in the interval. Indeed when the whole history of the French army is considered, its physical sufferings in Russia, and the way in which it had been overborne by regular armies and a whole hostile population in Spain;—the energy it finally displayed under indifferent leading at Waterloo, is something to which there is neither *simile* nor *secundum* in the military history of mankind. Europe may pride herself in it now, as evidence of what an inexhaustible mine exists in French courage, when the time shall come for directing it against the general foe.

There can be no rational doubt, that if the contest had been carried on as it took place, by beings on both sides free from human feelings or sufferings, and capable only of certain physical agencies by which they put one another *hors de combat*, the result must have been as it was. The lesson to be gathered is, that the defensive power of the infantry weapon had been under-rated; a point upon which the French commander might have obtained some light in the Peninsula. The French had been accustomed to force inferior troops in their positions; it was in fact the technical belief of the French military that there was no position they could not carry, just as it is of the English marine that there is no line they cannot break; and when it came to be tried against men as able for the business as themselves, the intrinsic power of the weapon *told*.

To say that one theory was bad, implies that another would have been better. And what is it that a scholar of Napoléon would have expected from the man of his idolatry? It is easy to say, that armies are not moved in the field as they are on paper; but there is a medium between that, and sitting down in the afternoon before a position, to attack it at eleven the next day. Suppose that a *younger* Napoléon had moved off an hour after midnight, leaving a division of light cavalry (not such a division as there are four of in a troop of yeomanry, but five or six thousand men) to keep up the fires and stop stragglers, and had been found at day-break with his army massed as at Jena, in the neighbourhood of Frischemont where the French right actually was, and with the hundred pieces of cannon of Bautzen in his rear. What a different reading would that have given of the whole affair. It is most probable that in some way or other the movement would have been known to the commander of the Allied forces before morning; but he must either have kept his old positions, or have changed them at hazard and under circumstances the most unfavourable. If they had been found as they were next day, the attack would have fallen in with great masses of cavalry and artillery. The cavalry must either have retired, or there would have been a gigantic fight between the plebeian and aristocratic arms, backed by their artillery on each side, and by their cavalry on the French; in which the aristocratic force would probably have been left upon the ground, as has been the fate of all cavalry attacking unbroken and resolute infantry since the days of the Centaurs. What might have happened afterwards, is only known to those who can tell (as the poor ill-used man said who was beaten at Buenos Ayres) what would have come to pass 'if your aunt had been your uncle.' But it is quite clear that the battle must have been fought on both sides by the eye. There would have been an end of loop-holed houses and studied positions, and the whole of the premeditated theory of fight would have been overturned. How ready the commander con-

the weak against the strong; and it begins to be vindicated at a favourable moment. The steady progress made during the

cerned would have been with a new one, is not in question; the one thing certain is, that there must have been a new one. Meanwhile if the Prussians had appeared, they could as well have been kept in check there as anywhere else; and the mere fact of the Prussians being in that direction, advised the operating on the point which tended to keep them separate rather than to let them join. The detaching Grouchy at all, implied the theory of the *deux masses intérieures*; which is the legitimate application of what is known under the title of 'breaking the centre.' But then they ought to have been '*intérieures*;' the essential step to which was, that they should be both on the same side of the enemy. There has been infinite debate whether messages reached Grouchy, or were obeyed; but the question to be answered is, why Grouchy was sent in that direction at all, if it was not intended to follow and keep in communication with him. And this was not the first time Napoléon had got into a similar scrape. At Marengo, the state of the battle was much the same as that of Waterloo at seven o'clock; and if Desaix had arrived an hour later,—still more, if the enemy had arrived instead,—the battle must have been lost. An inference from all of which would seem to be, that though by demonstrating the superiority of the *eccentric* over the *concentric*, Napoléon has established the ultimate independence of the liberal portion of Europe, he had not completely understood and digested his own legacy.

Few commanders would lose battles, if they had leave to fight them twice over. It is easy to find fault, with what has been unsuccessful; but still the student and posterity can only judge upon the facts. Individuals may recollect occasions of their own, where without the slightest want of interest or zeal, it seems upon reflection as if there only wanted the doing of any one thing that was not done, to have turned aside the heaviest misfortunes. Such is the lot of poor humanity everywhere.

The Dutch (the curse of Andrew Marvell ever them) have actually carried away the field of battle, to make a pyramid after their fashion, on the place, so important to Europe, where in the turmoil a Dutch prince was wounded; and the monuments to the British and German officers who fell, are in consequence left tottering upon their foundations, like remainder plg-sties after a clearing, waiting to be washed away by the next autumn's rains. It is a thousand pities that Maréchal Gérard did not allow his miners to go on. He ought not to have left the Dutch beast grinning over the field where the first military blood in Europe had been poured out like water.

It will be seen that the purport and bearing of the military part of these remarks, is to show that nothing in the recollections of the great day when the enemies of the people lapped blood, ought to prevent the hearty union of the two foremost nations of the world, whenever it may be called for in the common cause. The people of England paid dearly enough for their share by eighteen years subjection to their landed aristocracy, the loss of the opportunity of establishing themselves as manufacturers for all the world, and not less than three hundred and sixty millions sterling (nine *milliards* of francs) given to put about the fifth part of it into the pockets of their feudal lords and masters; besides the eight hundred and sixty millions (twenty-one *milliards*) of debt, and incalculable sums paid to support monopolists of other kinds in dishonest gains. Waterloo was the great Armageddon of all who lived upon the British people; and as well they knew it. The Three days of July will finish them at last.



last fifteen years in softening hostile feelings between European nations, renders expectations of universal union reasonable, which half a century ago would doubtless have been termed visionary. For example, the vulgar opinion that France and England are *natural* enemies, is gone; and although the golden age in such respects be not yet come, although base policy encouraged by secret diplomacy may still produce useless wars, nevertheless national hatred and prejudices are fast sinking into mere deformities of national character. Everywhere, the people begin to see that those prejudices were the means of success to the designing; and they will disappear with as much advantage to mankind, as has attended the dismantling of feudal castles, and the secularization of Church establishments, whose ruins adorn, and ought to teach a lesson to Europe;—with as much public applause as will one day attend the abolition of the privileges of primogeniture, of tithes, douanes, court pageantries, military fortresses, and lastly, of the taxes that may be extinguished by the honest reduction of national expenditure.

Under these favourable influences, the writers of the books cited, are proclaiming sentiments, and displaying facts, calculated to carry wholesome reforms into regions hitherto condemned to exclusion from the best means of civilization. By correcting public opinion in Europe respecting eastern countries, these writers will prepare the way for the ready acceptance there, of all that Europe can offer for their improvement; and at the same time, they will indefinitely facilitate the access of Europeans to the advantages which the orientals have to offer in return.

M. Jouffroy, the author of the '*Mélanges Philosophiques*,' is one of the most eloquent of a very eloquent and able body of men, the professors of Paris. His authority and position render his testimony highly valuable; and it is much to be regretted, that the present subject occupies a small portion only of his work. That work consists of eighteen essays published during the last ten years in various forms, or delivered as lectures. One published in 1827, deserves to be translated into all languages. It describes the influence of Greece upon the civilization of man; and abounds in glowing imagery and in thoughts clothed in the noblest language. Sprung from Asia and from Egypt, and standing midway between Europe and the East, the past and still more the future destination of Greece belongs equally to both worlds; and M. Jouffroy well observes, that Greece seems to have been formed by Providence to be always a most important instrument in working out the

devious course of human affairs. The tendency of man towards civilization was first awakened, he continues, in the East ; and three thousand years ago, the winds and the waves scattered its seeds westward. After many failures, and when numerous nations, as in Egypt, Palmyra, and Tyre, had risen to a certain height and again sunk under the aggressions of barbarous tribes, it was among the stormy seas, the scattered islands, and the inaccessible rocks of Greece, that science found a secure abode. There with a bright sky and a picturesque shore, with mountains, and fertile vallies, and rich woods, a bold and imaginative race of men expatiated in freedom and with rare success, in all the arts of life, in science, and in philosophy.

For a thousand years this astonishing people led mankind in the career of social improvement. What immortal days in history are the days of Platea, and Salamis, and Marathon. Until those days, civilization had always sunk before barbarism. Then for the first time, intelligence became victorious over mere numbers, and brute force felt an effectual curb. From that day civilization has moved onward without any material check. The colonies of Greece carried the power of improvement far into the west of Europe ; and ultimately the conquests of Alexander spread the immortal fruits of her genius still more widely eastward. Those colonies and those conquests prepared the world for Christianity, which was the result of all the previous efforts of man to become a civilized being ; and which was also destined to be the parent of his future improved civilization. For a time, Rome followed, greater in political power, but less in social influence ; and Rome at length gave way before the new forms of improvement, which had arisen from the union of the northern barbarians with the anciently civilized people of southern Europe. Thus arose the civilization, still far from perfect, under which we live. Its giant power is spreading over the whole earth. Asia, Africa, America, and the multitudinous Islands of the South Sea at this moment feel its influence. (*Mélanges.* p. 90.)

Such are the views taken of ancient Greece by the French professor. In the midst of much theory, in forming which M. Jouffroy exhibits an unusual forgetfulness or inattention to facts, he has introduced one point of great importance ; which is, perhaps, absolutely new in the estimates made by European writers, concerning the other races of mankind. Hitherto the common classification has been to place Christians on one side by themselves ; and on the other side Mohammedans, Hindoos, and all the rest of mankind by themselves, in contradistinction to Christians. M. Jouffroy makes a different classification,

He ranks the Mohammedans, Hindoos, and Christians, as forming together the civilized races, and he then distinguishes all three together from the rest of mankind, whom he designates the uncivilized, or savages. He also excepts from these uncivilized races, when treating of them in some detail, the Peruvians and Mexicans; in whom he justly recognizes a considerable degree of civilization. It is true M. Jouffroy holds the civilization of Germany, of England, of the United States of North America, of France, and of Russia, to be essentially distinct from that of the Mohammedans; and the civilization of the Mohammedans, to be essentially distinct from that of the Hindoos; but he repudiates in clear terms the opinion of Christian superiority which so long sanctioned crimes in Christians; and while he asserts that Christian principles are a source of strength to their professors, he carefully rejects the claims which many among Christians have made, to a right to conquer in order to extend those principles. The novelty of these distinctions is the more remarkable as they are made by one of the successors of the doctors of the Sorbonne, whence decisions of a very different character once issued profusely on this subject.

But M. Jouffroy has fallen into a capital error in anticipating and almost excusing the forcible subjection of all mankind to Christianity in its present form, by losing sight of the fact, that the desire for justice is a principle common to all mankind uncivilized and civilized, and which, when respected in the degree required by all religions, must stop all aggrandizement by force of arms. The essential characteristic of Christianity also, as all agree, is its peaceful tendency. They who make war for aggrandizement are essentially not Christians, whatever opinions they may profess. If they succeed in subduing their neighbours, it is because they possess power which they abuse. Europeans have during the last three centuries possessed this power, and have used it unscrupulously in India, in Africa, and in America. New thoughts begin to prevail, and if, as is highly probable, a purer Christianity than that which exists, shall ever predominate, Europeans will utterly reject conquests by force. Their civilization will then spread over the earth by other means than those described in the following Machiavelian passage, in which the vices of conquerors are spoken of in a manner worthy of the Florentine Secretary, or of the Sorbonne themselves.

‘The power of the Christians,’ says M. Jouffroy, ‘promises us the conquest of the world. It not only secures us from the attacks of other races, but it places them at our disposal; and it is difficult to resist the temptation to aggrandizement to which possession of power

exposes nations. Power seems to create a perpetual craving after increase of dominion. At present Christians indulge this craving by attacking each other; but they are fast perceiving the folly of doing so; and when they have made lasting peace at home, they must fall upon those who are not Christians in order to satisfy their natural appetites. And evil as conquests commonly are, they become benefits when made by a more civilized over a less civilized people. The example of America is a proof of the truth of this remark; and the result of the conquest of Turkey by Russia, when it shall occur, will further confirm it. (*Mélanges*. p. 124).

The existence of the 'appetites' here mentioned, is readily admitted, but the necessity of indulging them may safely be denied. There once existed among European nations, equally strong appetites towards piracy and slave-making. But civilization, imperfect as it is, has destroyed piracy and slave-making; and when Christians shall have attained the degree of improvement which M. Jouffroy anticipates will lead them to abolish wars among themselves, it is probable that they will listen to peaceful counsels in regard to their Mohammedan, Hindoo, and Chinese neighbours. In that advanced state of Europe, public teachers will find more honourable topics than the excusing of tempting conquests by the possible improvement of the conquered.

It has been asserted that Professor Jouffroy is exceedingly inaccurate when he deals in allegations of facts; and few persons will dispute the propriety of the assertion, who have read the declaration in the foregoing extract, respecting the poor natives of America, who are thus carelessly said to have been benefited by conquest. Whether the Caribs of the West Indies, or the red men of Georgia, or any other tribes of North or South America may be specially meant, no man acquainted with their melancholy story would surely have selected them as examples of the happiness that comes by Christian domination. Rousseau discovered, that savage life was the true scene of happiness; because he substituted the suggestion of his fancy for the truth. M. Jouffroy has, on this point, equally neglected facts, and has therefore become equally fanciful. This is not his only important error. He asserts, (*ib.* p. 469) that 'the stupid savages of New Holland,' have a religious belief; when it is notorious, that in common with the Caffres of South Africa, and probably the New Zealanders, they have none. In common also with both the latter tribes, the New Hollander is very far from being a stupid being. The experience of forty years of great practice in the criminal courts of New South Wales, has proved him to be equally sagacious, and more trust-worthy, than the ordinary

Bow-street officer. And it is only owing to the atrocious treatment he has experienced from the English, that he has not adopted civilization.

It is a similar error in fact to assert, as M. Jouffroy does, that hostility is always exhibited between the different races of men as soon as they meet. (*La constante hostilité qui se déclare entre les diverses races dès qu'elles se connaissent—Ib. p. 450.*) On the contrary, the first approach of Christian voyagers and distant colonists has always been received by savages with kindness, but that kindness has hitherto ever been returned with duplicity, greediness, and oppression. All colonial history testifies that this is true.

He is farther of opinion, that all savages will one day become civilized (*ib. p. 124*); and he seems to think, that planting colonies of convicts in Siberia has already civilized savages. No authority is cited in support of this assertion; and from the unsuspected testimony of the eccentric traveller, Cochrane, respecting the barbarous conduct of the Russian convicts towards the natives of Siberia, as well as from what is well known concerning the conduct of the English convicts in New Holland, the amount of good conferred by the Russians is probably small in comparison with the evil they inflict. It is especially important that the truth should be understood upon this point, inasmuch as a powerful party in France is urgent to turn Algiers into another Botany Bay. M. Jouffroy is said to have meditated writing upon the conquest of Algiers; and it is very remarkable that, as yet, no eminent French author, except M. de Sismondi, has published a line upon the subject, although France is spending thirty millions of francs yearly in a hopeless effort to found a colony in crime, and to make a conquest profitable by oppressing it. If M. Jouffroy discusses the subject of Algiers, it is to be desired that he should examine better sources of intelligence, than those which have so greatly misled him respecting the races he does not comprise among the conquerors of the world.

They who are acquainted with the general history of Arabian literature, or who have followed the recent extension of that learning in Egypt, will not be surprised, that a Mohammedan should write a good book. But the *printing* a book by a Mohammedan is a rarer fact, which ought to be hailed with honourable notice; for printing is one of the main things wanting to the national defence and social improvement of the Moslems. It is probable that two or three centuries ago they suddenly halted in civilization, by not adopting the art of printing from Europe. Why they rejected it, deserves an extensive inquiry.

Of the fact, and of its evil consequences, there is no doubt. Perhaps it is one of the numerous evils that followed upon the enormous wrongs suffered by the Moslems of Spain at the hands of Christians in the sixteenth and seventeenth centuries. The Christians invented printing, which soon became known to the Arabs; but the Christians at the same moment made proselytes to their faith by fire and sword, and by means of the pitched cap. The Arabs too, were sufficiently well provided with copies of manuscripts; which began to fail in Europe in consequence of the suppression of numerous monasteries. The printing-press was not, therefore, recommended to them by the same want which promoted the use of it in Europe; and its adoption by their bitter enemies being a ready argument against the introduction of it among themselves, those numerous persons the copiers of manuscripts, who were interested in its rejection, might plausibly maintain the wisdom of adhering to their ancient usage. Circumstances are now much altered; although the French seem resolved not to profit by the change. It will, however, be happy for Europe, as well as for the Moslems of Africa, if the example of this adoption of the press by Sidi Hamdan, produces its just fruit in the correction of the errors which it is printed to expose. That France has committed the gravest errors at Algiers is past question. But it is not too late to make reparation to the wronged, however difficult it may be to place France again in the position of influence and honour which she occupied in Africa at the conquest of Algiers and the revolution of 1830. The revolution might have been made the means of sanctifying the conquest. The one gave France an opportunity of doing immense good; the other seemed to come to convince men that she would do it; but a fatal spell seems to have marred both. The public bureaux of Paris are loaded with complaints from the injured Africans, who have hitherto complained in vain. The author of the present volume is one of the complainants. If he obtains redress for himself and for his countrymen after printing this book, it will be attributed at home in part to the publication. The existing prejudice against this all important art will receive a shock; the power of opinion as a check on governments will begin to be better appreciated in Africa; and the difficulties of the moment may perhaps find some compensation in the benefits to be derived from this favourable introduction of the printing-press to the tens of thousands of busy penmen scattered over the North of Africa, who now know it only from the feeble specimen of the Algiers Moniteur.

ART. XI.—*Old Bailey Experience. Criminal Jurisprudence, and the actual working of our Penal Code of Laws. Also an Essay on Prison Discipline, to which is added a History of the Crimes committed by Offenders in the present Day.* By the Author of 'The Schoolmaster's Experience in Newgate.'—London; Fraser. 1833.

NO great or permanent good can be effected, in the way of amending the law and the mode of administering it, unless a comprehensive and searching reform be made, and a uniform system substituted for the present confusion. Patchwork, or bit-by-bit reform, though it may here and there mitigate some evil, yet upon the whole does more harm than good; for when the subject to be operated upon is tottering with age and constitutional disease, the old never will harmonize or work well with that which is new. Law reformers should follow the example of the Commissioner of Woods and Forests; Lord Duncannon turned radical when he effected the improvements about Trafalgar-Square and the Strand. What a commotion was created in the neighbourhood when his scheme first got wind! And on orders being issued to pull down some of the houses, what a universal shout of horror and indignation burst forth from the inhabitants of all the narrow lanes, courts, alleys, passages, and *culs de sac*, near the place. \*It need hardly be observed, that they were conservatives to a man. They called his lordship names, such as, disturber of the public repose, and of vested rights, evil-minded innovator, wild theorist, destructive, leveller, and others. 'What! said they, would you destroy so venerable a pile,—buildings which for so many centuries have been preserved by our ancestors, and under whose roofs they as well as ourselves have so gloriously flourished. If this mad scheme is once embarked in, heaven only knows where you will stop; the public, who are always fond of novelty, may urge you on in the work of destruction, and all the other divisions of this populous neighbourhood may thus be made to share the same fate. The heart sickens at the contemplation of such a scene of devastation. What can you pretend to give us, in lieu of structures so admirably adapted to our purposes? You have never lived among us, and are unacquainted with our occupations; you are entirely ignorant of our multifarious windings and turnings, our ins and outs. Repent before it is too late, and let well alone; but if you must meddle with what you do not understand, be satisfied with ordering a few repairs to be done;—have additional props to the foundations, put in new windows, stop up the chinks and crannies, and let the old walls be whitewashed. This will at all events do well enough for a

time; and whenever a fresh clamour arises, you can patch up other parts of the neighbourhood in the same style.'

In spite of all this the radical Lord was inexorable, and declared his determination to clear away the whole neighbourhood. 'It is one huge mass of confusion, said he, in which I have no doubt *you* find your account. What may be admirably adapted to your purposes, is very detrimental to the public interest. The crooked ways you speak of, only serve to bewilder the stranger when he has occasion to visit your haunts, and in the midst of his perplexity, some of you take advantage of the darkness of the passages and plunder him. This must no longer be suffered to continue. I will not restrict myself to improving one part only;—I will have no bit-by-bit improvement, of so great an evil; for as long as any part remains untouched, so long will the public be suffering from it. Besides, the whole place hangs together, and one part cannot be removed without deranging the rest, and introducing additional confusion. The improvement must therefore extend to the whole; and to prevent an outcry against any personal injustice, those who have what are called vested interests in these hovels, shall receive ample compensation for the same.' The venerable ruins were cleared away, the architects came forward, new and commodious structures were erected, to which the public had ready access by means of wide and regularly formed avenues, and great has been the comfort.

The state of the English law is pretty nearly parallel with that of the ruinous buildings above described. Some of the laws are written, others unwritten; all of them are more or less confused, unintelligible, and contradictory; many of them cruel and unjust. The procedure or technical mode of administering these laws, is in no better state, but rather worse; as it frequently prevents justice from being done, when the laws themselves are in favour of that course. Of what use is it to make a good law, if the public may be deprived of the benefit of it by arbitrary rules of procedure. A complete revision of the laws and of our judicial procedure should go hand in hand.

Why then is the bit-by-bit system of reform persisted in? It was all very well at first, and Sir Robert Peel deserves credit for setting at naught the threats of the bigoted and interested, and convincing the community that the law might be amended without bringing heaven and earth together; but the present administration will deserve any thing but credit, if they persist in treading in Sir Robert Peel's footsteps. The bit-by-bit mode has now been in very active operation for the last seven years, but without effecting any material improvement in the system.



In the following observations, it is intended to direct attention more particularly to the criminal law, which branch, from the nature of the matters it treats of, is more intelligible to people in general than any other. The punishment of death affords an apt illustration of the effect of the bit-by-bit system of reform. In good old times it was inflicted for all sorts of offences, apparently to get rid of the trouble of keeping the offenders in custody; and in modern times it has been continued because Christianity is part and parcel of the law of the land, and law is the perfection of reason. From time to time, by the strenuous exertions of philanthropists, this barbarous punishment has been taken away from individual offences; but it is only within this twelvemonth, that the number of offences for which the law still awards this penalty, has been materially cut down. What an amount of useless suffering has been continued, in order to uphold this piecemeal mode of effecting improvements.

The favourite classification of offences is into *felonies* and *misdemeanours*; though these epithets give no more idea of the nature of the offences to which they are applied, than if two Chinese words were used in their stead. A very vague idea of the quantum of punishment which may be awarded to the offender, is the full extent of the information conveyed by them; for some misdemeanours are punished as severely as many felonies, always excepting that iniquitous adjunct to the punishment of all felonies, the forfeiture of goods and lands. Should an ignorant man wish to know something more of the meaning of these terms, he may learn that a starving child who steals a penny loaf is guilty of felony, while a man who forges the mark of the Goldsmith's Hall on plate to any amount is only guilty of a misdemeanour. The man who administers an unlawful oath is guilty of felony, but the man who falsely swears away the life of another is only guilty of a misdemeanour. An apprentice who appropriates a shilling to his own use received on his master's account, commits a felony; while the man who maliciously destroys the dam of a mill-pond is only guilty of a misdemeanour. So much for classification and consistency.

There is one glaring defect in our criminal procedure, which has frequently been pointed out by jurists, and that is the absence of a Court of Appeal. In civil cases the necessity of an appellate jurisdiction is amply acknowledged, but in criminal prosecutions the thing is unknown\*. Why should there be

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\* A *judgment* may be reversed by writ of error, for some mistake in a matter of law, which is apparent upon the face of the record. But in this proceeding the merits of the case, that is, the evidence given at the trial, cannot be taken cognizance of, much less any fresh evidence.

such an extraordinary distinction? If appeals are necessary for the purpose of attaining justice in civil suits, surely they must be quite as necessary in cases of a more serious description. The ground of an appeal is the supposition that error of some kind or other has been committed, or that fresh evidence has come to light, and therefore in an action brought to recover ever so small a sum of money, the aggrieved party is allowed to move for a new trial. 'So that,' says Blackstone, 'if any defect of justice happened at the trial, by surprise, inadvertence, or misconduct, the party may have relief in the Court above, by obtaining a new trial.' Even a third trial may be granted under certain circumstances; and after these trials have been had, the suit may be carried by means of a writ of error into the King's Bench\* or Exchequer Chamber, as the case may be, whence it may be removed into the House of Lords, the *ultima Thule* of this string of appeals.

All these precautions are taken to secure justice being done in cases where the ultimate judgment may be for the payment of a few shillings only as damages; but where the judgment is that the prisoner be hanged or transported for life, the law is fully satisfied that justice has been done. There can have been no defect of justice through surprise, inadvertence, or misconduct. Thus says the law, and the law is the perfection of reason, to say nothing of humanity. Suppose a man claims the property in a horse which is in the possession of a rich man,—he brings an action against him; the case is tried over and over again, and is finally argued at great length in the House of Lords†. Suppose the horse is found in the possession of a poor man; an indictment is preferred against him, upon which he is tried, convicted of felony, and sentenced to be transported for life. It can afterwards be proved beyond a doubt, that the man is really innocent of the crime, and like a simple-minded man he applies to the Court for a new trial. What says the genius of the English law to such an application? 'Ignorant and audacious wretch! how dare you talk of your innocence in the teeth of a record. It is insulting the dignity of the Court. Talk of additional evidence indeed,—the thing is impossible, because the law has presumed it is impossible, and legal presumptions are infallible truths. What if the

\* When the proceedings in the King's Bench commence by *original writ* sued out of Chancery, then the appeal is not to the Exchequer Chamber, but to the House of Lords at once.

† A case which had been litigated for some years was once brought before the House of Lords, where the question was as to the property in an ox.

witnesses have sworn falsely against you ; they may be indicted for perjury, but your guilt is just the same, because you are a convicted felon. What if the judge mis-stated the evidence to the jury,—it matters not, because it was a criminal case. In a civil case there is a wide difference, as errors may creep in at every turn, because it is a civil case, and therefore we are bound to take every precaution to get at the truth. Besides, appeals are luxuries, and luxuries are for your betters who can afford to pay for them. In short, you are a convicted felon ;—*Begone.*'

It is not intended to advocate more than one stage of appeal ; the Appeal Court having full power to take into consideration all the circumstances of each case, and to direct a new trial to take place if necessary. Such a Court should also be competent to inquire into any alleged misconduct of the judge of the inferior Court. Frivolous appeals might be guarded against as they now are in civil suits, and extra punishment might be inflicted where the Court saw just ground for so doing. There seems to be no sound objection against allowing an appeal to prosecutors, in cases of acquittal, upon taking proper securities ; although this proposition will appear very shocking to those who admire the law on account of its humanity. But if the kind of humanity here alluded to were acted upon throughout, the public might be saved the expense of keeping prisons or courts of justice at once.

Many of the defects in the criminal system are exposed in the present work, some of them with considerable ability ; but it is to be regretted that the statements contained in it are not always to be relied on. They are frequently wrong altogether, or else the facts are exaggerated. 'Newgate Memoranda' would have been a much more appropriate title than 'Old Bailey Experience,' as there is very little in the book which relates to the practice of the Courts in the Old Bailey. Alluding to the manner in which the trials are conducted, the author says ;—

'For several sessions I made a calculation of the average time which each trial occupied. I never found it exceed eight and a half minutes, notwithstanding many cases engage the Court occasionally a whole day ; and in the old Court, where most of the capitals are tried, they usually on the first, second, and third days of the Sessions, severally take many hours. The average of eight minutes and a half is made on both the Courts, and takes in all the prisoners tried for eight successive sessions.'—p. 59.

If justice were to be measured according to the length of time occupied in administering it, the Court of Chancery ought to be the most popular Court in the kingdom. Where more

time is consumed than is necessary for the proper elucidation of each particular case, it is so much time lost, both to the individuals concerned and the public at large. Now it so happens that in a large proportion of the cases at the Old Bailey, five or six minutes are quite sufficient for each trial. Such for example as the stealing of pocket-handkerchiefs, and other simple larcenies, where the parties are taken in the very act, or with the property upon their persons, close to the spot where the theft was committed. But it is not true that the average time occupied with each trial, is only eight minutes and a half; on the contrary it is as much as twenty-two minutes at the least, which may be easily proved from data furnished by the author himself.

'By a reference to the Old Bailey Session Calendar, it will be seen that about three thousand prisoners are annually committed to Newgate, making little short of four hundred each Session; of which there are eight in a year. And of the gross number, about three hundred and fifty are discharged by proclamation. Of these nothing can be said, as they must be considered innocent of the crimes with which they were charged, there not being *prima facie* evidence to send them on their trials. There remain two thousand five [*six*] hundred and fifty who are tried, with the progressive increase of four sevenths annually.'

Admit these numbers for argument's sake. The Sessions continue now and then for as many as eight or nine days\*; and it is very seldom they end on the evening of the fifth day; the fair average would be about six days; but taking only five for the average, this will give forty days in the year, there being eight Sessions. Each of the two Courts sits at nine in the morning, and rises at nine in the evening, unless a trial is actually going on, when they sometimes sit until eleven or twelve, and even much later; say however twelve hours for each court, and the result will be 960 hours occupied in trying 2,650 prisoners, which is rather more than twenty-one minutes and a half to each prisoner. But occasionally two or three prisoners are tried together, as being concerned in the same offence; for instance, during the last October Sessions, out of 165 prisoners, there were but 143 trials, because in twelve cases two prisoners were tried together, and in five cases three. When this is taken into the account, together with the number of confessions or pleas of guilty, it will be found that the average time of each trial is more than twenty-two minutes. What then becomes of the assertion that the average time never exceeds eight minutes and a half?

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\* This is admitted in page 80.

The following exaggerated statement scarcely requires a comment.—

‘The rapidity with which the trials are despatched throws the prisoners into the utmost confusion. Fifty or sixty of them are kept in readiness in the dock under the court, to be brought up as they may be called for. These men seeing their fellow prisoners return tried and found guilty in a minute or two after having been taken up, become so alarmed and nervous in consequence of losing all prospect of having a patient trial, that in their efforts at the moment to re-arrange their ideas, plan of defence, and put the strongest features of their cases before the court as speedily as possible, they lose all command over themselves, and are then to use their own language, taken up to be knocked down like bullocks, unheard. Full two-thirds of the prisoners, on their return from their trials, cannot tell of any thing which has passed in the court, not even, very frequently, whether they have been tried.’—p. 60.

The prisoner generally knows what he is charged with, when he is first taken into custody; he hears what the witnesses have to say against him, when he is before the Justice of the Peace; and he is then committed. Before the trial the indictment is read over to him and he is called upon to plead; at the trial he hears the indictment read to the Jury; after each witness has given his evidence, the prisoner (if he has no counsel) is asked if he wishes to put any questions to him; and so far is it from being necessary to put the strongest features of his case before the court as speedily as possible, that he is not called upon to state his case, as the author must be well aware, until the whole of the evidence for the prosecution has been heard. When any defence is made, and the prisoner has omitted to cross-examine the witnesses with a view to establish any of the points of his defence, they are recalled by the court or jury. Will any man then believe, that above 1,700 men (two-thirds of the whole), are annually tried at the Old Bailey, without knowing anything that takes place at the trial; and that a large proportion of them are not aware they have been tried at all. If the prisoners ever told such a tale to the author, they must have taken him to be a person easily imposed upon.

It is mentioned as a grievance, page 84, that a man (who was acquitted of felony) was apprehended, examined, committed, tried, and discharged, in so short a time as sixteen hours. For anything that appears to the contrary, those hours were too many by fifteen for the purposes of justice, instead of too few.

Although no time should be wasted in administering the law, yet it is of the utmost importance that all appearance of

hurry should be carefully avoided; because even if justice is really done, it is of little avail, should the public, judging only from the manner in which it is done, be led to believe that the contrary is the fact. Not very long ago, the Chairman of the Clerkenwell Sessions tried sixteen prisoners within an hour; which gives something less than four minutes for each trial; and of these sixteen prisoners, the Chairman transported thirteen. The writer of this article mentioned the circumstance to a friend some days after it occurred; and on his expressing great surprise, it was resolved to make another observation; the result was, that in twenty minutes, eight prisoners were tried, of whom five were transported,—each trial not occupying quite three minutes. In these instances, it is submitted, a little more time might have been taken, without being guilty of useless delay.

At the end of the first extract above given, it is asserted that the cases increase annually by four-sevenths. Nothing can well be further from the fact; for on turning to page 271, will be found a table of the number of cases tried for three successive years, and the increase on the first year there given is about  $\frac{1}{35}$ th, and on the second year  $\frac{1}{22}$ nd\*.

A charge is made against the counsel for taking briefs and neglecting them.

‘I have written twenty briefs on the first day of Session for prisoners, and sent fees of one, two, or three guineas with each which were taken, and have had twelve of the twenty neglected, because the counsel who had them was engaged the whole day on a trial in the other court, in which he probably had a fee of ten guineas or more.’—p. 68.

Those who know any thing of the practice of these courts, must know that this charge cannot be maintained. The brief in such cases is always handed over to another counsel, or the trial postponed; and it not unfrequently happens, that in a case which has lasted the whole day, the counsel has only received the smallest fee that is given.

The mode of punishing offenders is as defective as any other part of the system. A man steals a sum of money, and he is transported for seven years; another man steals five shillings more, and he is transported for life. Can anything be more revolting to the understanding than such arbitrary and senseless enactments. The author gives instances of very different punish-

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\* In 1829, there were 1,952 cases; according to the author's ratio, the next year there ought to have been 3,067; but in 1830, the number was only 2,008; and in 1831, 2,026, instead of 4,958.

ments being awarded for the same offence ; but it is impossible to form any judgment on these cases, without knowing what mitigating or aggravating circumstances appeared at the trial ; and as the author was in the gaol, and not in the court, he has not been able to state what these were. Looking however at the manner in which the judges are appointed,—the absence of any efficient control over them, and the absence of anything like a system for their guidance in apportioning either the quantity or quality of the punishment,—it is to be expected that arbitrary and anomalous cases will occur. On this subject the author has fallen into an error in the following statement :— ‘ The judges of the Old Bailey are so little acquainted with the nature of the punishments they award, that in the same day they will often grant that as a boon, which the next hour they describe as the severest of all punishments, being like the man in the fable of the Satyr, who blew hot and cold with the same mouth : for instance, when passing sentence on boys, they may frequently be heard to say, by way of a proeme, “ I shall take care that you shall not, for some time to come at least, have an opportunity of following your practices ; I shall send you to the hulks, where you will be hard worked, and severely punished for your conduct.” Almost in the same breath they will say to another, when consulting Mr. Wontner or any of the Aldermen on the bench at the time, “ The best way will be to send the poor lad to the ship, where he will be taken care of, and taught to read and write, besides being taught a trade by which he may earn his bread.”—p. 227.

There is no contradiction here, because by ‘ the ship ’ is not meant the hulks, but a vessel maintained by an Institution for the reception of boys under a certain age, who are not confirmed thieves ; and on board this ship, they are taught what is mentioned in the quotation.

The work contains many just observations on ‘ Prison Discipline,’ and the defective education of the poorer classes. The formation of an Appeal Court is strongly recommended, though the author’s notions of the manner in which such a court should be constituted, its powers and mode of proceeding\*, are very crude. The abuses of the pardoning power, are exposed in a very striking manner, and there seems to be no reason for doubting the accuracy of the facts relating to this subject.

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\* The author should consult a work published on this subject nearly half a century ago by the Father of Law Reform, called draught of a plan for a Judicial Establishment ; and some of his later works.

One of the author's crotchets is to transport 'all thieves without distinction of crimes\*,' with a view as it would seem to the extermination of the breed. Another fancy is, that 'the stage, considered with reference to the large theatres, does more than the pulpit in promoting virtue, and in repressing vicious habits†;' while the minors, or low theatres do nothing but inculcate the commission of crime‡.

In parting, two words of advice may be given;—Do not implicitly believe what you are told, because your informant has been convicted of felony; and when credit is asked for writing a practical book, do not make use of such words as 'apagogical,' 'myopy,' 'cænobiumism,' 'autopsy,' and 'sciomachy.'

ART. XII.—*Dramatic Performances Bill.* Parl. Papers. 1833.

**T**HAT the drama is in a state of miserable degradation is universally admitted; the outcry against it is incessant. But the causes of the evil are perhaps not yet thoroughly understood; and till lately no attempt has been made to remedy it. Writers who are fond of declaiming upon the decay of genius, eagerly pronounce *that* to be the real cause. 'Dramatic talent is not to be found among us,' they cry; 'the days of Shakspeare, and Otway, will never return;—we have passed beyond that state of society in which alone genius can exist;—we are imitators merely of that which our predecessors have done; we no longer take our materials from the universe, but from books; we describe passion, but do not feel it; the writer of tragedy no longer dives into the heart of man to search out the hidden impulses of action;—he is no longer the intuitive poet and philosopher, but a cold and dull copier, who gives us bad figures of wax, and wishes to pass them off as living flesh and blood.' All this is easily said, and with many will pass for true, because our modern stage writers show us at present little to prove it false.

The same lamentations over the dearth of genius for painting and sculpture were long howled out, till Reynolds and West, Martin, Lawrence, Turner, Chantry, Nollekens, and a host besides, started up to cut them short. It might be supposed, from the declamations of these prophets of evil, that poets, painters, and sculptors, like comets or deluges, visited this earth at certain periods only, and then departed for a thousand years or so, till fate, or fortune, or Providence, or some

\* Page 217.

† Page 308.

‡ Page 297.



mysterious cause brought them again. With just as much reason might they assert, that it is after the lapse of a certain period of years only that the ground is capable of producing corn from seed,—because they may have learned from history that certain countries once barren are now prolific, or that countries once prolific are now sterile.

Where the sun shines, and the rain descends, and man cultivates, there will almost always the ground yield increase. Equally will the human mind, under proper circumstances of culture and management, manifest the inherent and indestructible energy of genius. Was there anything in the prevailing winds, or the exhalations of the earth, or the state of the tides, or the heavenly constellations, or what not besides, that made the age of Shakspeare so over-prolific of genius, that the human mind, like an exhausted soil, must lie fallow for some hundreds or thousands of years before it can, in the language of the farmer, recover heart for a fresh crop? Have men since that time ceased to observe, and to reflect, and to imagine? Do they no longer act and suffer? Do they feel no joy, no sorrow, no pity, no anger, no terror, no love, no jealousy, no revenge, no ambition? Is there no guilt in the world, no virtue, no sudden exaltation, no strange reverse of fortune? And of what but materials like these could Shakspeare and Otway construct their dramas? Did that 'state of society in which alone genius can exist' break upon the world just as Shakspeare began to write, and fly off at the moment that he laid down his pen? What has Hamlet, or Lear, Othello, or Macbeth, to do with any single state of society? Did men never philosophize, or go mad, or burn with jealousy, till the wise termagant Elizabeth sat upon the throne? And have their hearts and their imaginations since that time lain in apoplectic stupor?

A single genius of almost superhuman power, like Shakspeare, (for it is ridiculous to mention Otway upon the same page), may rise, and for ages defy rivalry; but genius is not therefore dead in the world. The splendour of a renown like his may lead his successors to imitate, and inevitably therefore to fall short of him; it may blind the eyes of men to other merit; it may discourage future labourers in a track where they must be disadvantageously brought into comparison with him; but it cannot extinguish passion, and imagination, and knowledge of the human heart; it cannot paralyze the tongue and the pen; it cannot blot nature from the eye, and compel men to see her in books only.

Who that can recollect the last thirty years, has not

heard a thousand lamentations over the decay of genius for novel-writing? Who has not heard of those unmatched authors Fielding, and Smollet, and Goldsmith, &c. whose names were to be for ever the wonder and the shame of all succeeding tale-tellers? How would not some profound critic, looking over the unpublished pages of *Waverley*, have shaken the head, and talked of *Tom Jones*, or *Humphrey Clinker*, or the inimitable *Ratcliffe*? 'Very well, Mr. Scott,' he might have said, 'I really think you have not done amiss: but the age of novel-writing is passed; the state of society in which alone genius can exist, is gone by. Recollect, if you publish, that you lay yourself open to a comparison with men whose equals the world can never see again. Your baron of Bradwardine is an amusing person, doubtless; but think of parson Trulliber, or the Vicar of Wakefield, or philosopher Square.'

Such, had they spoken their thoughts, would have been the language of these lamenters over the grave of genius, to him who was destined to cast into comparative darkness the luminaries that were to be for ever bright and unapproachable. That any future novel-writer will equally obscure the splendours of Scott by a superior brilliance, is most improbable, but not impossible. That any future dramatist will darken the glory of Shakspeare, or even stand as an equal light in our firmament, is still less probable. But the heavens have more than one star,—and the drama may yet have more than one luminary,—giving light at least, if not so dazzling in its brightness.

If our stage writers 'no longer dive into the heart of man, to search out the hidden impulses of action,' are all our poets, and novelists, and philosophers, stricken with the same palsy? Is there no dramatic power in works that do not bear the dramatic form? Can there be no diving into the breast of man, except in blank verse, regularly cut into acts and scenes? If there be imagination, and passion, philosophy, and poetry, in other forms, is the age for genius nevertheless gone by, merely because these have not shaped themselves into plays for the patent theatres?

Dramatic genius is not dead. The drama will again strike down its roots, and shoot out its branches, when the poisonous waters that wither it are drained away. Till the intellect, and fancy, and passion of man show universally a decay of vigour, there will be no general impotence in any one species of mental exertion for which there may be encouragement,—an open field and fair play.

In the days of Shakspeare there were such. In the present

day there are none. In the times of Shakspeare and Massinger and Ford, the literary warriors went in their strength to the field, and reaped the laurels of victory; in the day that is present, their limbs are fettered, and the arms are taken from their hands, and they are then told that the age of heroes is gone by, and the strength of men's nerves shrunk up. But, take the gyves from their feet, and the manacles from their wrists; give them space to move in, and time to grow familiar with their weapons; and doubt not they will give proof that the hearts of their forefathers are in them, and that they have only not been conquerors because they have not been permitted to exert their strength.

If our play writers are 'fallen from the high estate' of their predecessors, what would have been the fate of our poets, our novelists, our philosophers, if to the caprice or ignorance of a few managers of literature, had been given the power to alter, to cut out, to patch in, to cast wholly anew, or wholly to refuse, the labours of their pens? Byron, and Moore, Southey, Milman, Hemans, Wordsworth, might have been thrust aside, to make room for some ballad writer who could tickle the vulgar ear. Ivanhoe and his glorious band of brothers, would have scorned to present themselves; or if brought forward, would have been disjointed and reformed, to hold worthy place with the lights of the Minerva press.

Of all pride, that of superior intellect is the most unbending; of all who bow, when compelled to submission, none so loses his vigour with his independence, as the man who is conscious of possessing genius. The imagination of the poet cannot stoop to slavery, without changing its very nature. Nothing so much demands unlimited scope as the eye which 'glances from earth to heaven,—from heaven to earth.' To place limits upon its range, is to fix it in stupid apathy to the objects around it, or to forbid it to glance at all. Yet such is the bondage of the modern writer of dramas,—and he is then told that 'the age of genius is gone by;—he is chained to the earth, and then informed that the limbs of modern men have lost their capacity to move.

The nature and operation of the tyranny that now oppresses dramatic genius, it will be the business of the present essay to discuss. The evils are many; but the great source of them all is the monopoly,—the unreasonable privilege which entitles the proprietors of two or three houses to be the exclusive distributors of one of the highest and most fascinating of intellectual amusements.

What just right can any government have to confer such an

authority? Why may it not, with equal propriety, give to two or three persons the exclusive privilege of printing and publishing every book, newspaper or posting-bill? For whose advantage is this unjust right granted? Is it for that of the public? There is no man so impudent as to affirm it. Is it chiefly for the profit of the privileged parties? Shuffle as he may, there is no man who can ultimately deny it. And is it then the just prerogative of a government, to make the pleasure or the good of a whole capital, nay indeed of a whole nation, bow to the private interests of a few?

From any very responsible participation in such a measure, the existing government must be acquitted. The evil is not of their making. Restrictions upon play-acting first arose in a time of feudal despotism, when the theatre was considered as little better than the bear-garden, or the show of the mountebank; when bands of strolling comedians were held as little other than licensed beggars, and when perhaps their general manners entitled them to be viewed as something little short of permitted nuisances. In those days the richer nobility had their private theatres, their dramatic bands, paid by themselves; and the first patent house in London, was the private theatre of the queen. The performers bore the name of 'her majesty's servants,' and by the actors of the patent theatres that title is still borne.

The present unjust monopoly was granted in the reign of George the 2nd; and its protracted existence, which in truth only aggravates the wrong, seems at length to have given to it almost the sacredness of an absolute right. It might appear unjust instantly to abolish a privilege, upon the presumption of whose continued existence large capital has been embarked; but if the privilege of the few be to the injury of the many, it ought to be abolished. At a time when just notions of the rights of individuals, and of the mischievous effects of monopoly, are so universally diffused, the public have a just ground to hope that an evil like this will not long be permitted to exist, by a government that has so often manifested a wish to bring sound principles into practical operation.

It may safely be said that the whole body of our theatrical constitution is diseased. There are endless blotches and sores upon it; and he who fixes his attention upon one of these only, may perhaps hope for a cure in some local application. But experience would show his error; the eruption that he strove to repel in one part, would break out in another.

Let it first be asked, what ought the theatre to be, and what is it? It ought to be a place where men might improve their

understandings by the wisdom of philosophy; where they might strengthen their moral principles by the representation of every action or suffering that ennobles man, and by imbibing detestation of all that degrades him; where they might learn rules for directing their conduct in life; might acquire or gratify a taste for the pleasures of imagination; might see before them a picture of human action and passion, in all their splendour and in all their deformity, transferred from the fancy of the poet or the pages of the historian, to almost the reality of life; or where they might, at least, pass a few hours of blameless and not unprofitable amusement, in laughing at the follies and the absurdities of others and of themselves.

This is what a theatre ought to be;—what is it? A house built, not for the instruction, or the profitable amusement of the people, but for the private emolument of the owners; for the gratification of a false taste which that establishment has created, and on the continued encouragement of which its pecuniary profits depend. It is a place to which men too generally resort, not for intellectual or moral improvement of any kind, but to pass, without thought or care, a few hours after dinner;—to see, and talk of, some new actor;—to hear some favourite singer;—to look at some new and gaudy scenery,—some dancer, some clown, some trick of pantomime,—some living horse, camel, or elephant,—some real water, or fire-works;—perhaps to show superior breeding by talking aloud;—to ogle the beauties in the boxes,—or lounge with women of the town in the saloons. ‘Look on that picture, and on this.’

It may perhaps be urged that this degraded state of the theatre is the result of the public taste,—that the managers cannot help it,—that they must supply such amusements as will be approved by their auditors,—that it is not for them to instruct the people, but to ensure full houses by pleasing them; and so forth. It may be admitted that the managers, under the present system, have little power to direct the public taste;—that their own interests compel them to study the likings of their audiences;—that they are not called upon to become martyrs in the cause of the legitimate drama;—that the public demand what every just judgment must condemn. The managers, it shall be admitted, may be blameless; but somewhere must there be blame; for the taste of a whole people, correct in its general literature, cannot, upon one point, have become so degraded, without the operation of some peculiar disturbing cause.

The great error has been the granting to the three principal theatres the exclusive right to represent the legitimate drama,

—that which addresses itself to the more refined and intelligent portion of the public mind,—while the license (a word too appropriate) was granted to several minor theatres to perform everything that was adulterated in the dramatic form; everything that addressed the mere sense, or the inferior sentiments.

The disposition to indulge in the inferior mental pleasures, it ought however to be the object of every good and wise man to discourage, and surely not to foster. Men sink easily enough into mere creatures of sense; but it requires instruction from without, and arduous self-exertion, to elevate them into intellectual and moral beings.

What then must be thought of that act of a government which gives ample permission to several minor theatres to indulge the people in their natural love of the pleasures of mere sense, and of the lower sentiments, — but forbids them, under heavy penalties, to minister to the gratification of the refined intellect, and the loftier and purer emotions.

The public knows such to be the state of the law; and long custom has almost blinded it to its wickedness and folly; but, had the constitution of the theatre been that which it ought to be, and had we now, for the first time, heard that such as ours is, was the law-degraded state of some foreign stage, we should have laughed with contempt at the absurdity of that nation's rulers, or been stung with indignation at their tyranny. Yet this is the absurd thralldom under which our own national theatre is oppressed; men know it to be so, and yet, forsooth, marvel greatly at the decline of the drama, and wisely suspect that all dramatic talent is dead, and that we must hope for no revival of it till in the revolution of Fate's or Time's huge wheel, we shall again arrive at that period of semi-barbarism 'in which alone genius can exist.'

Suppose that for the last hundred years, the exclusive right to bring out and to employ new mechanical inventions, had been granted to three great firms; what would now have been the condition of the manufacturers, and the resources of the people? Would not the machines have been few and poor; and would it not therefore have been said that the genius for invention was dead; and that we could never hope for its resuscitation till we should return to a state of society such as existed in the times of Friar Bacon and the Marquess of Worcester?

Under the existing restrictions it is almost impossible that the drama could have been much better than it has been and is. The racer has gyves upon his ancles, and cannot run; 'ergo,' say the wise ones, 'he has no genius for running.'

One evil arising from the monopoly is the dearth of fine actors.

It may perhaps be said, that the provincial theatres, being permitted to enact the regular drama, give scope for the genius of many actors, whom the London theatres could not employ; and that consequently the dearth of fine actors throughout the kingdom cannot be attributed to the fact that there are but three theatres for the regular drama in the metropolis. This is in great measure true; and there may be perhaps several fine actors upon provincial boards, of whom the public at large know nothing. But, not to be known, and not to be, are, in a question like this, almost the same thing. In speaking of the number of fine actors, are meant, of course, not the possibly existent, but those who are known to exist. A poet, or a painter, may reside in an obscure village, or in a distant country, and become famous; but high reputation as an actor is never obtained save upon the stage of the metropolis. Those alone who have passed the ordeal of the London audiences, and have received their warm and continued applause, can hope for a wide-spread fame; those alone are much respected, and, which is better, as involving the former and something beyond it,—well paid.

Provincial fame, and provincial pay, offer slight inducement to young men and women of genius to devote themselves to the stage. A thirst for theatrical distinction may arise from many other causes than the impulses of genius toward the histrionic art. Some few may be impelled by the latter to seek the stage; but in the many, the inducements are of very different, and inferior kinds; and it is no marvel therefore, that out of hundreds of actors, there should be perhaps not one truly fine one. But be the number of good performers in the country what it may, they are unknown to the public, and cannot be taken into calculation.

The number of celebrated actors, therefore, must necessarily be small. It might be greater were fair competition permitted; but this the favouritism of managers and the jealousy of favoured actors prevent. High talent alone will not command a trial. To perform for years in provincial theatres, before empty benches, and at a guinea a week, has often been the lot of those who afterwards rose to the highest distinction upon the London boards; but their distinction was the consequence of their appearing there, and not of their talents alone; and their appearing there was often the result of chance.

The monopoly granted to two or three theatres then, unavoidably causes a dearth of fine, or at least celebrated, actors. But

it is to see the actors rather than to hear the play, that most persons frequent the performance of the legitimate drama; and hence, if the number of fine actors be small, there is less inducement to frequent it. The pecuniary interests of the proprietors are consequently affected; and, having no novelty in their actors by which to draw full houses, they are driven to seek the novelty of more glaring spectacle; of operatic, or melo-dramatic pieces, more absurdly romantic or morbidly sentimental.

Is it a marvel that the taste of the multitude, thus alternately stimulated and deadened, should have small relish for the plainer, but more wholesome food which the true drama could offer them?

But, if the monopoly is the cause why there are so few good actors, it is also the reason why there are so few good dramatic writers.

Power begets pride and insolence in its possessors. The actor truckles to the tyrant manager, till he has obtained a reputation with the public which compels the manager to employ him; and then himself becomes a tyrant. His judgment or caprice must be consulted by the manager himself, as well as by every one more immediately under his sway; and by no one more than by him who, as presumptively at least his superior in mind, ought perhaps to be the moderate dictator to the actor, but certainly not to be his submissive servant,—the dramatic writer.

Men of genius are rarely unconscious of their powers; and there is no species of pride more natural and just, because there is none more based upon real and intrinsic superiority,—than that which arises from a calm consciousness of higher mental endowments. This species of pride by no means implies the existence of self-conceit, or of haughtiness towards those who are of a lower mental grade; but it is almost necessarily accompanied by a self-respect, and by a feeling of the respect which is justly due to it from others, which render a submission to the weak judgment or caprice of inferior minds, insuperably disgustful. So long as the mere money-seeking manager, or the conceited actor, claims a right to dictate to the poet, so long will poets of the higher order hold aloof from an occupation in which they must stoop to the rule of inferior minds; or if under the pressure of necessity they should submit to the degrading fetters, it must unavoidably be at the expense of that freedom of spirit and enthusiasm which can alone prompt them to conceive, and that confidence of unshackled power which can alone enable them to execute, aught worthy of their genius. Almost every eminent poet of



our own times has therefore declined to seek stage reputation ; and the few who have hoped that such might be honourably won, have commonly withdrawn in disgust at the price by which it must be purchased.

Such are the evils which have proceeded directly from the unjust and absurd monopoly. They are of themselves alone sufficient for the overthrow of the true drama ; and they *have* overthrown it. There are indeed other co-operating causes ; but in the monopoly is the original sin, which has wrought the unhappy fall.

Whether the proprietors of the patent theatres will have any claim upon government for remuneration, should their monopoly be taken from them, will not now be discussed. Perhaps upon any true principle of justice they may have but little ; upon any claim for requital due to them for loss sustained by the resumption of a valuable though unjust privilege, they seem to have none ;—since the very privilege which they obtained for aggrandizement at the expense of others, has proved to be, not a good for the privation of which they might demand compensation, but an evil which has wrought their ruin, and of which it would be well for them if they had never been possessed.

Be this question however disposed of as it may, the propriety of abrogating the monopoly is unquestionable. Our rulers can do this, and they ought to do it. To resume the permission which they have granted to the minor theatres to perform any kind of illegitimate foolery, is not in their power ; but they may recall the absurd decree which compels them to such performances.

No measure short of this, will have a chance to heal the disease under which the drama now lies ; and even the best and most vigorous exertions for it can now operate but weakly and slowly. Mr. Bulwer's bill for protecting the copy-rights of dramatic authors is good, as far as it goes ; but, in itself, it will do little for the great interests of the drama. It may be a source of profit to those who have successfully written, or who may in future write (though possibly not to the extent that may at first appear probable) ; but it will not free writers from the despotism of actors and managers, nor will it increase the number of dramatic compositions, or dramatic poets. The monopoly must be destroyed, and the main spring of the evil will then be stopped. The managers of the minor theatres will then be ambitious to exhibit, occasionally at least, a little of solid gold in lieu of the glittering tinsel which they must feel themselves degraded in being compelled to produce before the eyes of their spectators. Some of

them may feel an honourable pride in giving encouragement to the production of works which now even the legitimate theatres would hold to be too legitimately dramatic, too simple and pure, for them to venture upon before audiences that have been nightly intoxicated with operatic and melodramatic doses; and thus gradually, though by slow degrees, some healthier condition might be induced in that taste of the multitude, which though originally or in great part the consequence of a vitiated stage, must be expected to continue long a cause of it.

There are other causes than the monopoly and its consequences direct and indirect, which affect the interests of the drama. Among them, and perhaps in its effects a not unimportant one, may be ranked the progressing fashion of taking late dinners. The man who has fasted till seven o'clock that he may enjoy a luxurious meal at a fashionable hour, cannot be expected to disarrange his habits for the sake of attending the theatre. Were this fashion confined to the aristocratic classes who first began it, and who at no time have been distinguished as supporters of the drama, or indeed of any other mental pleasure, little detriment would have followed to any but themselves; but it has been widely adopted by those who servilely ape the customs of their superiors in rank; by those who like to close the labours of the day with a few undisturbed hours of domestic enjoyment; and by those who like to terminate a day of frivolous amusement, with a night of voluptuous sensuality. These classes comprise no inconsiderable number of men, whose circumstances and whose inclinations might otherwise have disposed them to be no unfrequent attenders upon stage amusements.

Another cause may be found in the fact that men possess now more than formerly, resources of mental delight by their own fire sides; and that they have consequently less need to seek them at the theatres. Poetry indeed is little read,—but novels, biography, books of travels, and other works of an amusing character, are poured from the press in profusion; and these furnish to thousands the amusement of evenings which might otherwise have been passed before the stage.

Other causes may be found in the increasing institutions of club houses, and literary and scientific societies,—in the all-absorbing interest of politics,—in the wide spreading passion for music. These supply amusement or occupation to the indolent, the unemployed, and many who, had such resources been denied them, would probably have found enjoyment, or scope for mental energies, in the pleasures of the stage.

There is still another cause of the decline of the drama in this country ; and it must be acknowledged that it supplies, not to the over righteous only, but to a large class of far better and more liberal persons, a sufficient reason for abstaining generally from the amusements of the theatre. For this the players have themselves alone to thank. What can so blind them, that they cannot see themselves to be, in one important point, far in the rear of that society, upon whose favour they depend, and whose feelings and opinions it is so much their interest to consult. At a time when refinement, in manners at least if not in morals, is considered so indispensable to every one who desires to move in a circle at all above the lowest, that a licentious innuendo in the company of women would expel the speaker from their society, and perhaps bring upon him personal chastisement from the hand of some indignant friend or relative,—how can players expect that they may with impunity utter and act, before hundreds, the slightly cloaked impurities, of word and of situation, which they continue, with faces of brass, to present occasionally as fit matter to win applause? Applause, indeed, they do win for these outrages upon propriety ; but they receive it from the vulgar in the galleries, and the courtesans in the upper boxes. Thousands meantime, who might else have frequented the theatre, now abstain from it ; and their absence, and their disapprobation, occasion the absence of thousands more. The players would do well to reform this altogether. *One* splendid family, has demonstrated how a profession most uncourteously treated by our ancestors, may be raised in general esteem, and its members made to sit among the nobles of the land. A proper self-respect, must be the foundation of all respect from others. The immorality, or mistrusted immorality, of the stage is great impediment to its success. A single gentleman may make up his mind to *payer de sa personne* ; but decent men will not go with their wives and daughters, to hear what it would be an insult to hear at home.

This fault in the players, as well as many others with which the managers more especially are chargeable, arise from the undue attention which they have been accustomed to pay to those noisy and imperious dictators, the gods of the gallery.

In this gallery is another and pregnant cause of the general decay of the drama. Some years ago, when the intellect and the manners of the middle classes were not, in general, greatly elevated above that of the lower, the noise and vulgarity of the gods were less offensive than they now are, to their superiors in the pit and boxes. The gods themselves, it must be admitted, have considerably advanced in the general

march of intellect, and of refinement in manners; but their progress has not kept pace with that of the middle classes; and their diminished vulgarity is, therefore, in relation to the heightened sensitiveness of the latter, more offensive than was their far greater vulgarity to the less nice feelings of their betters some twenty years ago. The dramatist who writes, and the player who speaks and acts, for the more especial plaudits of the gallery, ought not, therefore, to be surprised if he fails to meet the approbation of other parts of the house; nor ought the manager to wonder, that these latter are deserted, when his endeavours to please are almost constantly directed towards the tastes of the other.

Having now touched upon the chief causes of the decay of the drama, it remains to say something upon the means that may restore it. Many of those are suggested naturally enough by a mere statement of the causes of its decay. There are others which do not so readily present themselves.

The first, the great cause, involving so many others, direct and indirect, is the removal of the monopoly. Till this cancer be extirpated, the general system can never be restored to a state of health.

The removal of this master evil would involve the removal of many that have sprung from it. If, under reasonable restrictions, the right to erect new theatres for the regular drama were accorded, many would speedily arise; and the greater number of these, would certainly be of a size considerably below that of the two great patent houses. The advantages would be, First, that the smaller costs in every department, would enable the proprietors to fix the price of admission at a much lower rate, and thus to supply the means of amusement to a more numerous class of persons; Secondly, that a nursery for actors would thus be created, and a greater number of really good actors might therefore be reasonably expected; Thirdly, that the rivalry for reputation in acting, and the greater attention which thence would be inevitably given to it by the public, would tend to diminish that regard which is now bestowed upon mere spectacle, and consequently to diminish the expenses which are now devoted to that inferior mode of attraction; Fourthly, that the decreased cost of bringing out new plays,—plays no longer dependent for their success upon the gorgeousness of their accompanying spectacle,—would enable the proprietors to exhibit a far greater number of such, and would consequently bring into requisition the talents of a greater number of dramatic writers, whose genius is now prevented from manifesting itself, and who, though they should possess

the powers of a Shakspeare, might, under the existing system, be condemned to live and die in oblivion; Fifthly, that the greater number of managers, good actors, and writers, would overthrow the despotism of the now few, favoured, and haughty actors and managers, who on the strength of their situation and influence, dictate to their mental superiors the dramatic poets, and 'cabin, crib, confine' their genius in the trammels of individual caprice or old stage custom.

All these results may reasonably be anticipated; and all would be highly favourable to the interests of the true drama. Certainly not the least so, would be the release of the dramatic writer from the control of actor and manager. In certain respects these gentlemen are usually the very worst of dictators. The actor would compel the poet ruinously to mutilate his work, in order to centre in himself the great attraction; the manager would insist upon any or every alteration from its original and proper construction, upon omissions here and insertions there, in order to bring into effect certain hacknied clap-traps, or to force upon the whole a form and character more in consonance with his peculiar notions of stage effect.

Throughout the whole range of art, science, and literature, it will be admitted, that the original conceiver of new beauty or truth, must rank above even the most successful illustrator or adorning of these. The finest performer of Handel's music will never be ranked with Handel; the most impressive lecturer upon Newton's Philosophy will never take place with Newton; the most excellent engraver of the works of Raphael will never stand on the same eminence with Raphael; and as little can even the finest actors take rank in the order of mind with the poet whose work they illustrate. No man would be stupid enough to wish that a Newton, a Handel, or a Raphael, had worked under the dictation of a popular lecturer, a fine violin-player, or an esteemed engraver, and it is equally absurd to desire that the dramatic poet should be under the control of an actor or a manager.

It may be supposed by some, that if left altogether to himself, the imagination or caprice of the poet would lead him to commit ten thousand absurdities, from which the superior judgment of the actor, or the manager, is supposed at present to protect him. But what ground is there for inferring that the judgments of actor and manager must necessarily be superior to that of the poet? The sounder inference would be, that they are presumptively inferior to his; and if it be held desirable that the superior mind should be kept in check, it must be still more proper that there should be some

control upon the inferior mind also. But this is not even thought of. The creative mind of the poet, ought, forsooth, to be controlled; but for the caprice, the errors, the unsound judgments, of actor and manager, no check whatever is asked or thought necessary.

Would Turner, Wilkie, or Martin, paint better, under the direction of the Committee of Taste, than under the guidance of their own feeling and judgment? Why then should the dramatic poet write better plays under the Committee of stage-reader, actor, and manager?

Under what Committee is it that authors, of all kinds, produce the works which the press so richly teems forth? And where are the multitudinous absurdities into which they have fallen for want of such superintendence? Or from what character of fault is it that such control might be expected to free them? The prevailing fault in modern writers is rather that of an extreme cautiousness, than of an extravagant daring. The sole restraint under which they lie, is public opinion. This is all-sufficient upon them, and ought to be, and would be, sufficient upon the writer for the stage. If he write that which is poor, or absurd, upon himself alone ought the responsibility to lie. The dread of public censure would be an ample motive for exerting over his productions his own best judgment, and for availing himself diligently of the private opinions of his friends. The latter he may adopt or reject; but with himself alone ought the final decision, and the whole responsibility to rest.

But it may be said that it would be impossible to bring out all the plays that are offered, and that a right of selection must therefore be placed somewhere.

It may be replied, that if the name of the writer were to be invariably announced, previously to the commencement of every new play, and if all responsibility for its defects were made to rest upon himself alone, there would be no such superabundance of plays offered; or if, at the first, there should be too many adventurers, a few examples of decided condemnation would soon bring down their ranks to a number small enough. But, admitting that the greatness of the supply should make it necessary to place somewhere a right of acceptance or refusal, in what hands and under what regulations should that authority be vested? In that of a hacknied stage reader, an actor, or a manager? Assuredly not.

Of every theatre there will probably be many proprietors; and every proprietor will probably have knowledge of some man in whose judgment he places reliance. Let the new play be

read in a committee of such selected judges ; or by any number of them in private ; and if but one of them decidedly approves of it, let the play be acted, under this condition, that the name of such approver be announced with that of the writer previous to the commencement of the performance. Such a regulation would afford to the author the best chance of having his merit appreciated ; and would, at the same time, supply a sufficient check upon those judges who, from motives of personal kindness, or from any other and perhaps less excusable motive, might be disposed to give sanction to the performance of an undeserving piece.

There are a few other matters worthy the consideration of those who would endeavour to regenerate the stage.

For what purpose are the saloons, attached to our theatres ? All who have seen them know, that they are chiefly used as promenades for women of the town. The latter do not indeed necessarily annoy those of purer morals who frequent the theatre, and thousands of young and innocent minds may have been there repeatedly without being aware of even the existence of such an unhappy class of creatures. But it is matter of public notoriety that thither they do systematically resort ; and their presence there brings needless disrepute upon the theatre. Let the saloons be abolished, and let no courtesan, known as such, or in the colours of her trade, be admitted to the theatre.

Another matter for the consideration of the proprietors and managers is the length of time now occupied by the performances. Satiety produces distaste for even the most relished delights. The man who would desire to have a healthy appetite for his food on Tuesday, must not feed to surfeiting on Monday. Three hours of dramatic excitement would be sufficient for any the most hungry craver after it. The true policy of the manager would be, to leave off while there is among his audience rather a desire for more, than a sense of over-fullness. The uncloyed appetite would far sooner demand a repetition of the feast, and would always relish it with double zest. Those who are present, do not generally like to go away before the conclusion of the whole, however sensible they may be of increasing weariness ; some, because they do not like to lose any portion of what they have paid for, and others because they hope for something more exciting to come. But upon all, the ultimate effect is the same,—a distaste for the repetition of an excitement which has been administered in an over dose.

The performance of three, and sometimes even four distinct pieces, appears, for nearly the same reasons, to be equally injudicious. A fine tragedy ought not to be robbed of its

after effect upon the mind by a dance or a farce; and a comedy seems to require no such deviled biscuit to finish the feast. If, however, *one* of these be administered, it ought surely to be sufficient.

The reduction of the whole performance to the time proposed, would have the further advantage of removing an evil which, among sober families especially, is viewed as a great objection to theatrical amusements,—the evil of late hours. The performance that began at seven might close at ten; and the domestic arrangements of even those whose residence is a short way out of town, would not then be disordered by a visit to the theatre.

But, why should all the theatres be opened at the same time? To suit the convenience of persons of different habits, why might not some of them commence their amusements at six, for example, and some at eight o'clock? The latter hour would be found very convenient by many persons who dine late; and the hour of return would, to them, be still an early one\*.

Mr. Bulwer's Bill has been thrown out in the Lords, at the second reading; and that without a single reason alleged, that would not be rejected as puerile by even a child. When will

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\* Another cause why people absent themselves from the theatres, is undoubtedly the idea of personal danger. A man may be very willing to face any necessary peril, and very unwilling, with no necessity, to incur the risk of either himself or family having a Sunday Reading made about them as the people who were killed at the theatre. The list of accidents that have happened at the entrances of those parts of theatres which are tenanted in common, is, as everybody knows, far from a consoling one; and fire, or the alarm of fire, will some time or other produce a misfortune, which will be trembled at by future generations. What a discredit to the mechanics of the age, that nobody has produced a pit entrance where the public should pass between two palings of breast high, as is done at Paris, and should in addition be separated by divisions lowered from above in the manner of a portcullis, each (as the company gradually arrives) cutting off some known number, as for instance thirty, with full room and comfort, to be liberated in succession as suited the pay or check-takers. A pit ticket-office distinct from the entrance, and open during the same hours as for the boxes, is evidently another step which it appears strange any civilized people should be without. By such arrangements, the pit might be entered on occasions of the highest excitement, with the same ease as a drawing-room; but perhaps this would be too good for those who are not of the high aristocracy. The still more serious evil of fire, might be provided against by multiplying *romitoria* in the lower part of the house, having doors that open outwards by the simplest fastening removable from within; and in the same manner widening and multiplying stair-cases to the upper stories. A theatre in a metropolis like London, ought upon the first notice of danger to be all door and staircase like the Great Pyramid. For want of such precautions, we shall some time be all roasted alive, as a Frenchman roasts *écrevisses* in a crucible,—*Ed.*



that House become a power to aid in the onward march of reason and right feeling, instead of a cumbrous load which drag backward as it may, must and will be forced along by the ever-growing strength of manly intellect. Their warmest friends must the most regret this unseemly act of a body of men who, palled with less rational pleasures, have no zest for the national drama; and who, because they themselves take no part in it, deny it to the multitudes who desire it, and to whom it might be at once a delight and a source of improvement. Had they gone into Committee, and inquired to what length it might be advisable to slacken the fetters upon the drama, should it be deemed imprudent wholly to remove them; they would at least have made some show of respect for the wishes of the people. Though without incurring much censure they might have objected to grant at once the right to erect theatres in any or every spot where unopposed by a hundred and fifty housekeepers rented at above 10*l.* and resident within a circumference of a quarter of a mile from the place intended, with what shadow of a reason could they refuse to permit the performance of the legitimate drama in those theatres which are already erected?

To Mr. Bulwer the public is much indebted; and his present failure will probably only urge him to further exertions. It can scarcely be doubted that another Bill will be brought in early in the next session, and that it will again pass triumphantly through the Commons. When one portion of the government is out of harmony with the rest, the best way of treating it is to give it no lack of opportunities to display the difference.

ART. XIII.—*The United States of America.* By Achille Murat, *citadant* Prince Royal of the Two Sicilies, and Citizen of the United States. With a Note on Negro Slavery, by Junius Redivivus. —Second Edition. London; Effingham Wilson. Small 8vo. pp. 402. 1833.

**E**XPERIENCE seems to show, that dethroning kings is far from being without compensation; and if the ex-royal families of Europe that are to come, will prepare themselves for applying their leisure as profitably to mankind as the imperial dynasty of France has done, the change of system might be anticipated with less of apprehension. The written recollections and recorded prophecies from St. Helena, are really more glorious to Napoleon than his victories: and as lessons they are not less important than many of his laws. The pens of

other members of Napoleon's family have been less successful than his own ; but the productions of its younger branches are no discredit to his name. The book on American ornithology by Charles Buonaparte, is a treasure in every great library ; and weak upon some points as are the works of Achille Murat on American institutions, they will excite thought in thousands in Europe, whose awakening betokens any thing but repose to crowned heads.

The occasion of these remarks is a new work written by the son of King Murat upon Republican government, and its improvement in the United States of North America. With much that will be found worth a careful reading, it is a hasty, ill considered book ; but nothing can come amiss to Europeans, which explains the machinery of the American government, and shows the suitableness of good popular institutions to the old world.

The work is not exclusively a book upon the United States. It is, on the contrary, a general treatise upon the old question of what form of government is the most calculated to make the millions happy. To which the author replies, the form of a federal republic ; and in the United States, he finds more abundant materials to justify his opinion, than time had permitted to the Brissotines and others forty years ago. These materials he has used with ability upon some topics, interspersing with them however, sentiments which will be little acceptable either in North America or in Europe. For example, he thinks that the punishment of death represses crime by the terror it excites, more effectually than any other punishment. The example of the United States has refuted this opinion, by exhibiting a diminishing scale of capital offences whenever by the change of legislation the amount of capital punishments has been diminished. And in France, while the mass of crime is more considerable than the mass of crime in England, the violent crimes are less, under a milder legislation, than the violent crimes in England are under a more sanguinary one. He has however decided against the employment of death as a punishment, upon the ground that no restitution can be made after execution, however erroneously awarded. But instead of putting criminals to death he would transport them to penal colonies, of which it is plain he knows nothing ; and he disapproves of penitentiaries, upon grounds which, as an American citizen he ought to have been long ago aware, have for years been abandoned by the best informed and most judicious men in his adopted country. With such questions M. Murat is not sufficiently familiar, and the

whole Chapter upon Civil and Criminal justice, is the most defective in the volume. It seems to have been written not so much in order to enlarge upon the subject whose title it bears, as to be a vehicle for an argument in favour of divorce, which the author maintains boldly to be the grand means of curing most of the evils of social life, and especially of those the development of which has immortalized Malthus. (pp. 367—383.) It is impossible to avoid the reflection, how easily this individual might have been '*la haute sagesse de sa Majesté*;' and if he had, how much he would have been of a piece with most that are:

The best Chapter in the book is that in which the inconveniences of Centralization in government, upon the French system, are contrasted with the advantages of local government as in America, in numerous states, with a common centre for some purposes, but for other purposes absolute independence of each other.

'If it be true,' says the author, 'that no government ought to exist except upon the condition of promoting the interests of the governed, it is plain that legislation must change as often as these interests shift their ground. The system of centralization does not permit this change to be made. But in a federation like that of the United States, government follows the interests of the mass. No man pays a tax to support a public functionary useless to him; and the charge of defending the country falls upon those who require its defence. If in one quarter crimes are more frequent than elsewhere, it is there that judges, gaols, and gaolers are multiplied, but at the expence of that particular district. One state wants a sea-port improved, another a guild-hall built; and each supplies its own wants. The rich and the poor contribute to all only according to their respective means, and to the share they enjoy in the works done.'

'Every thing is found too, to be better done by those who know the local circumstances; and whatever in remote spots does not affect strangers, may be safely left to the inhabitants, whose interests and taste, will in this way be properly respected. Opinions also differ; and it is good to let experiments be made in different neighbourhoods. In one a more convenient tax will be imposed, or an improved prison will be built. The example will become the subject of examination; and the general legislation will gain by individual success. The sum of happiness is increased by this course, along with national civilization.'

'Another great advantage of the federative system is its effect in spreading intelligence equally over the country. Under it, there is no provincial inferiority. Education, fashion, and wealth spring and animate every part of the land instead of being confined to one city. Where the system of centralization prevails, the capital absorbs all. The men of ability throng to it, with the certainty of great numbers

failing to find employment. In regard to intellect, Germany and Italy are federations; and the lights of civilization are more equally spread abroad there than in France. Out of Paris, there is not to be found a single good college, a single good theatre, and scarcely any where a single man of good taste. Italy presents a striking example of the advantages and disadvantages of these two systems. Before Rome conquered and absorbed all, Magna Græcia was covered with flourishing towns. From the conquest downwards, they have been sacrificed to her, and to centralization. Now, in the south of Italy, Naples is everything; and therefore the only large city. But in the north of Italy, in Tuscany and Lombardy, the division of the country into small states has raised fine towns everywhere. A common centre for a defensive government against the foreigner, is only wanted to ensure to these countries a glorious career in every object of public honour and national happiness.'

'This point is illustrated in a remarkable manner by the example of the United States; and it is shown advantageously by the comparison of all countries which possess local municipal administrations, as Holland, Belgium, and England, with France. Industry of all kinds prospers by being allowed room to expatiate in. Particularly are political abilities and honour improved and fostered by exercise in the distant provinces; where men are practised in public local business before they are called upon to guide the affairs of the state. At present in France, it is from Paris that candidates are sent, by the favour of a party, to be deputy for a department. The stranger is elected, and, as was to be expected, deceives his constituents with whom he has nothing in common. The reverse of this ought to be the rule. Reputation in a Commune ought to recommend a real patriot to the body of surrounding electors; and the vigilance of those who have long known their deputy, would be his best check against the seductions of the executive government.'

The foregoing is an abridged view of what the author enlarges upon with much force of illustration; and in the chapters upon municipal administrations, he has collected matter of infinite value to French readers, who for the most part are utterly unaware of the evils of their own system of centralization.

But M. Murat betrays the strongest want of even common information with regard to the actual conditions and the history of what he calls the uncivilized races of mankind. His opinion is, that they must all be destroyed by the civilized races now in possession of Europe, of much of the two Americas, and who are sprinkled over other parts of the globe. He has discovered that Negroes have no families, nor family affections beyond those which prompt a sucking child to recognize its mother. A writer who presumes to discuss the great subject of the prospects of the different races of man, in the deplorable state of

ignorance which these ideas betray, must not be surprised if his readers turn with doubt from the parts of his book which are really valuable.

Think of its being told in England, that a foreigner had written such passages as the following :—

‘General and universal philanthropy, is doubtless, a very fine thing; but it is not to it that we owe our liberty and our prosperity; it has never, that I know, made any body the richer; it is our duty to apply ourselves assiduously to our own affairs, without regarding those of our neighbours.’—p. 109.

always meaning by ‘our own affairs,’ robbing and grinding the weaker, like the Cacus whom the early Hercules was born to squash.

‘For myself, who am not a philanthropist, I frankly avow that I think this result [the extinction of the Indian race] is very desirable.’—p. 280.

What an escape, for all that *mangia maccheroni*!

How long will Europe submit to the disgrace of maintaining friendly relations with a country where

‘Slavery is and will be the grand pivot on which our internal politics must turn.’—p. 81.

The Algerines were a race of worthies in comparison.

‘All labour deserves its price. Merchants went to the coast of Guinea, &c.’

There are some species of labour, which civilized nations are in the habit of paying with a halter.

Reflect, that the author of all this might by possibility have been a king in Europe, if Providence, along with much evil, had not intermixed the good of banishing him to congenial spirits in the Southern States of America.

The writer with a name that is not like precious ointment, whose extended Note on Negro Slavery is appended at the end as a kind of fig-leaf necessary to fit the book for appearance before a British public, has dispensed with the necessity of some comments upon this subject. At the same time the apologist himself has fallen into enormous weaknesses on the question he takes in hand; for which his phrenology seems chiefly responsible. He dislikes the negro being called ‘brother,’ and says that ‘there can be no doubt that the negro races are far inferior to the whites, both physically and mentally.’ His evidence of what he calls their ‘bastardy,’ being interpreted, seems to intend the intimation brought forward in other quarters, that negroes have an ill

smell. It was rightly said on another occasion, that 'all the persecuted stink.' When Mr. Cobbett or the old Crusaders want to undignify the descendants of either the patriarch's right or left-handed marriage, this is the first thing they think of. The first-mentioned of these assailants, ought to be too well acquainted with the savour of a European battalion in close column in the dog-days, to be hasty in appealing to this kind of test. And suppose the fact were, that connected with the peculiarity of organization which fits the negro for inhabiting a torrid climate, was something that, under lack of washing, was unsavoury to the olfactory nerves of Europeans. Would this prove 'bastardy;' or would it prove rather that he was God's particular child, begotten on purpose to inherit a hot country? It could never be so bad as the effects of calomel and the reminiscences of the last emetic, in a sickly European. But the strong and palpable testimony upon this point,—and it is only introduced here because the matter in question is actually whether God has made of one blood all nations of men for to dwell on all the face of the earth or not,—is in the fact that no efforts have availed to prevent, or in any considerable degree diminish, the intercourse between the two races wherever the opportunity is afforded. After this, the most ridiculous piece of hypocrisy on earth is to see the white man turning up his nose, with an affectation of injured superiority. The Mohammedan too, a licensed connoisseur, gives his evidence in the same direction\*. If there ever was an absurdity got up by judicial infliction to display the weakness of the calumniators of nature's works, it is this.

The evidence for the 'physical and mental inferiority,' is that in Jamaica the negroes are nearly seven to one, and are not free. 'Could any thing but gross ignorance bring this to pass?' Nobody has denied the ignorance; the next thing produced will be the ignorance of the negroes in the Southern States of America, where an individual was prosecuted a few months ago for teaching a school. But who is to limit the numbers that shall be kept in slavery, when one side has all the ignorance and the other all the force? The Maroons in Jamaica are next brought forward. 'Fifty American riflemen would have destroyed the whole of the Maroons;' the reason why,—because

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\* طَيِّبٌ فِي وَقْتِ الْغَيْظِ *Tayyib fī waḳti 'l gheidh*, was the expression of an Arab friend at Mocha, with a gravity that left no doubt of his sincerity. It is perfectly true that the Mohammedan, under the bounty of his prophet, like Mrs. Bell's *Belle Assemblée* has his changes for the seasons; but contrary perhaps to Mrs. Bell, chuses the dark colour for the hot weather. There is manifestly a provision of Providence.

their 'weapons were of the most ordinary kind, and in many cases loaded with metal buttons, for want of bullets, as was proved after the surrender.' Is there any dealing with a phrenologist that argues thus? there must be a bump too many or too little somewhere. The Maroons were brave men defending themselves desperately with such arms as they could get, as other brave men have done before and since; and here comes a literary character, and says that they were less than men because they used metal buttons when they had no bullets. It is exceeding likely that fifty American riflemen would have destroyed them, just as they would have destroyed the largest Political Union that ever defended itself with the tongs and fire-shovel. The writer manifestly instances *King Cudjoe* as a man that might have been his contemporary; whereas the potentate of that name made a treaty with the commissioners of George the Second in 1738. In short he is the *rege Latino* of the Maroons; the 'old former-time people' as their expression has it. When a man goes about to prove half God's children 'bastards,' there should be something in his facts. The Maroons for a long time kept at bay the whole forces, horse and foot, of the island of Jamaica; and when they at last gave in, it was by no means from 'the fear alone of some twenty Spanish hunters and bloodhounds from the island of Cuba which were never used.' It was a very different thing that made the Maroons think of giving up their 'cockpits.' Saving the presence of all who may find the expression rude, it was the 'gun with a little gun in its belly' that was too much for the poor Maroons. General Walpole got a 4½ inch howitzer through the woods; and when he began to pitch the shells into their cockpits, it produced as much dismay as it probably would among our British ancestors of the time of Cæsar. Instead of 'some twenty Spanish hunters and bloodhounds from the island of Cuba,' the dogs were a hundred and four and the chasseurs forty\*. When a man sets about illegitimizing half the human race, there should, as said before, be some dependence to be placed upon his facts. It is true the dogs were never used; and the Maroon report is, that all they did was to eat up an old woman, which Dallas confirms. At the same time they were not without effect. The writer of this was intimate with the virtual though not nominal commander of the Maroons in that war, Colonel Johnson,—an exceedingly brave and intelligent man, the same who on being wounded in the leg in action, took his knife and cut out the ball on the

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\* Dallas's Maroon War. Vol. ii, p. 109.

other side and went on. He, like all the Maroons, affected to laugh at the dogs, and say they produced no effect. He was asked, how many men he took with him in his progresses, when he attacked and fired a plantation on one side of the island at night and on the other the next morning; and he replied 'never more than fourteen.' He was next asked what chance he and his fourteen, would have had in the night against 104 dogs and 40 chasseurs; and then he acknowledged, that after the arrival of the dog corps, he was obliged to discontinue his expeditions. He admitted that the Maroon war grew out of slight causes; some of the Jamaica authorities punished a Maroon with whipping on a charge of petty depredation, and nothing would serve 'their young men' but measuring their strength against 'the young men' of Jamaica. The writer once asked the same individual, in the confidential half-hour that passes over a bottle of Madeira, what were his opinions with respect to a future state; and to his astonishment he replied, that he had heard many, but his own had always been, that everything we saw was God, and what stayed in man till death and then left him, was a part of God and returned to whence it came. It is to be hoped that the writer with a hard name, will produce this Platonist of the woods, the next time he wants to prove God Almighty the father of 'bastards.'

But the phrenological argument is to come. 'Look at the physical formation of the ordinary negro,—his mis-shapen limbs and deformed feet.' Now all that can be said upon this subject is, that look at any troops, European, American, Indian, Arab, or Turkish, and the writer of this has looked at them all,—and the negroes may be picked out behind their backs, as fine and personable men. Among the Indians and Arabs, the 'Habshy' as he is called, looks like a bull of Basan among the rams of Midian. In no race are there so many models among the men, of the form that may be christened Herculean; and it is only because the European ladies allow no fair play, that it cannot be decided in which race there are most forms that approach the Medicean Venus among the women. Certain it is, if it may be spoken without offence, that an African village is the best chance a gentleman has of meeting such an apparition, who is not given to frequent the model room of the Academy. But after all, it is understood to be decided, that the African race has a somewhat slenderer thigh and calf in proportion to the rest, and a somewhat larger foot. Suppose now a dog or a pig were to maintain, that he was the only veritable dog or pig of God's making, because the others had a somewhat slenderer leg and broader foot;—what a fool of a four-footed animal he would be held to be. Who has



proved that the African leg and foot is not the best of the two? It is analogous to all known proceedings of the divine maker, that it should at least be found to be the best in Africa. A ducat to a maravedi, that it is either the best adapted for some peculiarity of a tropical climate, or the result of some long-continued habit, as for instance going without shoes. If going without shoes is the procreation of large feet, large feet may extenuate the leg and thigh, as is said to be the effect of hob-shoes; and is a man to be a 'bastard,' because he has worn hob-shoes? His voice too, is not satisfactory. Suppose the phrenologist and his posterity rebuked in Barbary, for not croaking out the Arabic with the true sound of a crow in a vomit. We should at this rate all be disinherited,—Scotch, Irish, and north country,—and nothing left above board but the genuine cockney\*. Then again on the phrenological ground, there is no doubt that certain formations of head are within certain limits connected with different mental powers. Defect of organs must produce defect of mental power, as being in the relation of cause and effect; and the cultivation of particular faculties may reasonably lead to the extension of the organs concerned, as the exercise of a blacksmith's muscles leads to the enlargement of his arm. There is no doubt also, that mental powers are to a certain extent transmissible, and that if there was indefinite power over the preliminaries, men of talent with large heads might be bred like Leicestershire sheep with little ones. But what does all this prove? The uncultivated races have in general little and bad heads, like our pauper bumpkins. But that is no proof that the race might not have better. The argument is a specimen of the same defective bumpology, as where it was argued that the Jamaica negroes were an inferior race because they were ignorant. It is by no means certain, that civilization did not come to Egypt out of Æthiopia; and it is quite certain

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\* As an instance of the unblushing confidence in the difficulty the English people may have in detecting falsehood from over sea, may be mentioned the cry attempted to be raised against some part of the slave regulations of the English government, which directed *razors*. Now will they tell an old governor of Sierra Leone, that a negro has no beard?—when it is notorious that wearing the beard is the distinction of the chiefs, priests, and learned men on the Coast of Africa. On the other subject too,—the writer has been familiar with crowded balls at Sierra Leone where all were black, and in India where all were white, and on the self-same day of the year, the 4th of June. In the first, he certainly has no recollection of any unpleasant consequences; whereas the white society stank abominably. The smell of a couple of hundred European gentlemen and ladies, all now or lately under the action of calomel, is no joke. All men stink occasionally, and in certain circumstances; but to say that God's tropical man does it more than his neighbours, is a trade lie.

that the Indians, who pass for 'black fellows' in the vocabulary of these white philosophers, were a civilized and learned race, when *our* progenitors were painting their skins and roasting one another alive. 'O Lord, what is man,' when he gets a little vanity into his head, and sets about deciding that himself is God's only gentleman!

After all the prodigious folly that has been talked upon the subject in America and elsewhere, the final result will be, that the tropical regions of the earth will be occupied by the races to whom nature has given the organization favourable for existence in such climates, modified by such mixture with Europeans as circumstances shall bring about. Instead of the blasphemy of the American negro-driver, that the country is *his*, and the negro has no claim to equal rights in it, the honour of God and man are concerned in proving upon him, that it is his whom God has fitted for it, and his in the end it will be. And the simple instrument (as all nature's instruments are simple) will be the greater physical desirableness of the race of females adapted to the climate. Imagine a race of animals adapted to the soil, and another the contrary, and think how quickly one would supplant the other. Inferiority of mental cultivation may be a check to the progress, but it will be a check every day diminishing. There is no use in an American slave-breeder and his family going into fits about it; but their posterity are all doomed to be yellow men, and all the world is banding together to help them to it. There will never be any good for the Americans, till they have a Sambo President; and it may be sooner than some people think. When the blood of Europe has had a little more time to fritter under a tropical sun, it will be found that no white man of the laborious classes (if such there are to be), will be of bad taste and bad economy enough, to prefer a puking partner of his own sickly race, to one that can be an efficient helpmate and bring him children who may be an aid instead of an incumbrance; and if there are to be no whites of the laborious classes, then the others will be strong enough to put the holy bayonet into the oppressors. There is no mincing the matter; it is precisely by the same right as we walk without fear of cut-throats in the streets. But the Americans cannot *all* have got the iron in their souls, the sore remembrance, like what in some families is understood to produce the aversion to a rope;—what, for instance, has the blood of the Puritans or of the men of the Civil Wars, (of which Europe was not worthy), to do with the scoundrelism of slave-making? They will find out in time, that mankind despise them for it; and that the true mark of the beast, far beyond all hawking

and spitting and even picking of teeth with a fork, is believing in the superiority of the hickory-faced animal. In Europe, a stronger feeling is fast gaining ground. The liberals there have an arrear to settle, for the disgrace unwittingly brought upon them by American association. A quarter of a century may be allowed for the check to European freedom, arising out of the misfortune of having connected its cause with the habitual abnegators of the principles of public and private morality, the *hostes humani generis* who by their own acts place themselves at war with all that bears the human form. People may be stout-hearted; but it is a fearful thing to fall into the detestation of the human race. There never was man-hated yet, that man did not contrive to bring up with a stiff turn in the end.

The *ci-devant* prince of the Two Sicilies does not appear altogether unaware of the dangers which already begin to press upon the *caput lupinum* of the American slave-holder. To the north he has the pleasant prospect of St. Domingo and the British colonies; and to the south and west, still nearer, the Mexican government and the Indian league. As he rightfully observes, 'more than three-fourths of the Mexican army is red, and who knows if their leader will not be so himself?' [p. 297.] In Europe also, it is now perfectly known, that the military strength of the Southern States is not worth a brigadier's command; they have an internal enemy, whom the slightest foreign support would raise upon them to their destruction. The English Tories, as every military man knows now, would have upset them *de fond en comble*, if they had not been restrained by the consciousness of another villainy of their own. Such is the weakness God has attached to national baseness everywhere. The tolerance of the civilized nations is at this moment inexplicable. Both English and French seamen have been taken out of their merchant-vessels and imprisoned, for the avowed reason that they were dark-complexioned. 'We are banditti who exist by the commission of injustice; and we will not tolerate that a French or English seaman should display proof that *his* nation does not do the same.' The English people once made a prodigious turmoil about a certain Jenkins's ears. It would appear that they expended all their spirit, and an American may trample on an English citizen now, for no reason given but that it is unpleasant to him to see him free.

ART. XIV.—1. *Rapport au Ministre de l'Intérieur, sur les Monumens, les Bibliothèques, les Archives, et les Musées, des Départemens de l'Oise, de l'Aisne, de la Marne, du Nord, et du Pas-de-Calais.* Par M. L. Vitet, Inspecteur-Général des Monumens Historiques de France.—Paris. 1831.

2. *Histoire des Français des divers Etats aux cinq derniers siècles.* Par A. C. Monteil.—Paris. 8vo. 1828-33. 6 vols.

THE more extensive and minute the acquaintance with the things accomplished by the men of the middle ages in Europe, the stronger the interest becomes in the efforts of the human mind during that unfavourable period. In the fine arts especially, a rapid progress was made in the twelfth, thirteenth, and fourteenth centuries, by the builders of the magnificent cathedrals, monasteries and castles, the mutilated remains of which fill all beholders with admiration. An enlightened spirit of inquiry throughout Europe during some years past, has already produced much valuable information upon the subject. More remains to be produced as to the extent of knowledge possessed by the old architects, their system of building, and their history. In Germany the learned have devoted themselves heartily to the research; and in France great progress has been made in the study of the architecture, painting and sculpture of the middle ages. Popular writers have made this study familiar to the people; and since the revolution of July 1830, the government has established an office in order to rescue many valuable monuments of art and history from decay, and to provide rational enjoyment to an improved public taste. M. Vitet, who presides in this office under the title of *Inspecteur-Général des Monumens Historiques de France*, is known as the author of several respectable works\*; and his reports upon the matters entrusted to him are in the highest degree interesting. M. Vitet's duties are two-fold; in the first place he is to form a catalogue of all the existing objects of ancient art, which can interest the historian or the man of taste; he is then to point out to the government how those objects may be best preserved from further decay. The chief results of his first circuit, in point of architecture, sculpture, and painting, are as follows.

First, of Architecture. In the departments of the Oise, the Aisne, the Marne, the Nord, and the Pas-de-Calais which was

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\* *Voyage Historique et Archæologique dans la Haute-Normandie.* 2 vols. 8vo. ornés de plans et de cartes. 1833.—*Les Etats de Blois.*—*Les Barricades.*—&c. &c.

the seat of several kings of the first dynasty in France and the retreat of the last kings of the second dynasty, M. Vitet endeavoured to discover traces of buildings of the first ages of the conquest by the Franks, or at least some edifices of a date anterior to the year 1000. He found very few such. Among them are parts of an old church of St. Martin at Laon, upon the site of the cathedral; two arcades of the church of St. Maurice at Rheims; and perhaps the tower of Louis-d'Outre-Mer at Laon, which, be it remembered, the local authorities are about to pull down. In these districts, where the greatest number of Merovingian remains might be expected to be found, Roman buildings were alone discoverable. From this fact it is inferred that the successful Franks built little, and that what they did build was of slight materials, and often of wood, which exposed their buildings to early destruction.

The eleventh century is not much more abundant in remains. The porch of the church of St. Maurice; some of the chapels in the church of Vaux-Regis; the porch of the church of Tracy near Noyon; some of the windows of St. Remi; and the crypt of St. Medard at Soissons, are the only buildings of this period seen by M. Vitet. Those of the first half of the twelfth century are more numerous. The Crusaders had then begun to introduce the eastern taste into France. At Soissons in a cloister of the church belonging to the abbey of Notre Dame, may be seen one of the most graceful and beautiful models of the Byzantine style. The little church of St. Pierre, of which the porch and part of the nave alone remain, is another specimen of this varied but regular mode of building. The eastern arcades of the choir of the cathedral at Noyon, the chapel of St. Pierre-à-l'Assaut at Soissons, a great part of the church of St. Martin at Laon, the porch of the church of Coucy-le-Château, and some village churches near Soissons, are of this period. But the real treasures of the departments of the Aisne, the Oise, and the Marne in architecture, consist of buildings of the end of the twelfth, and of the beginning of the thirteenth century. This was the time of the transition from the *plein cintre* to the pointed arch. St. Remi at Rheims; the cathedral at Noyon, with its dark and frowning towers; St. Martin's at Laon; and the exquisite church of Tracy, are of the end of the twelfth century, all presenting a combination and as it were a struggle of the *plein cintre* with the pointed arch. A part of the cloister of St. Jean-des-Vignes at Soissons; the front of the cathedral at Laon; the cathedral at Senlis with its spire very similar to those in Normandy; the nave and choir of St. Jacques, at Compiègne; the church of St. Iyer at Braisne, remarkable for its ten royal tombs; and the choir of

the old church of the abbey of Ourscamps, are of the middle of the thirteenth century, and of the pure pointed arch. But they belong to the transition period by being remarkably heavy in the manner of the *plein cintre* style. The end of the thirteenth century is the period of the perfect pointed arch, of which the interior of the cathedral at Rheims is the most finished specimen. Germany may boast of fine porches and noble towers; but nothing exceeds in grandeur the interior of the Rheims cathedral. It is the Parthenon of France.

With the fourteenth century, what is so improperly called gothic architecture, declines. The church of St. Bertin at St. Omer is one of the most striking in the country, still elegant, but less severe in its ornaments. It is to be regretted that the authorities are beginning to pull it down for a calf-market. The same fate threatens the cloister of St. Jean-des-Vignes which is of the same period, and the hotel-de-ville of St. Omer.

The characteristics of the architecture of the fifteenth century are the variety of its divisions and the luxurious profusion of its ornaments; whence the whole presents a heavy aspect. M. Vitet produces, however, some splendid specimens of this period, such as the side porch of St. Remi, built in the reign of Charles VIII, and one of the south transepts of the cathedral of St. Quentin, built by the orders of Louis XI. The hotels-de-ville of Compiègne, of Noyon, of St. Quentin, of Arras, and of Douai, are of the fifteenth century. Of the mixed style introduced upon the revival of the study of Greek and Roman architecture, M. Vitet found scarcely any trace in these departments.

The *Sculpture* of Europe from the Antonines to the reign of Francis I, is entirely unknown to many persons. The really fine school, however, which existed during part of that time, has only been obscured in consequence of its productions having been more perishable than buildings. Besides the destruction committed by the reformation and the revolution (both great Iconoclasts), the statues, which were almost always placed on the outside of the buildings, were exposed to the winds, rains, and frost, and gradually covered by moss, or wasted by time. The earliest and rudest monument of this kind mentioned by M. Vitet, is a baptismal font of the ninth century in the old church of St. Venant, near Bethune, which exhibits the whole story of the Passion. Another font of the twelfth century is to be seen in the church of Tracy. At St. Omer may be seen on the pavement of the cathedral, figures of chimæras, sirens, fragments of the zodiack, the creation of the world, knights, pilgrims, mingled together. An admirable bas-relief may be seen above the

donjon-gate of Coucy. It represents an exploit of one of the Coucy family, in combat with a lion. The animal is springing upright; and its posture reminds the spectator of the lions in Greece over the gate at Mycenæ. At Laon, in the church of St. Martin may also be seen the tomb and colossal statue of the same warrior in armour. The porch of this church is adorned with some statues of the fourteenth century; and here M. Vitet found a charming little figure of a Virgin of the thirteenth century, much mutilated, and supporting a lamp. At Soissons, in the triangle above the porch of St. Jean-des-Vignes, he saw a whole series of little figures sculptured with remarkable grace and delicacy. In the church of St. Remi, at Rheims, six pillars of the nave have capitals composed of little statues in sitting postures.

But it was in the cathedral of Rheims that M. Vitet made the most important discoveries in sculpture. The porch was undergoing repair; and he ascended the scaffolding half-way up the front, where deep in the pointed arches he found numerous bas-reliefs and full statues almost invisible from below, and admirably executed. The costume and style belonged to the thirteenth century,—the golden age of French sculpture. M. Vitet is of opinion that models taken from these specimens, and placed in the public schools of the arts in France, would be of the utmost use in correcting the monotonous taste now too prevalent.

The seals attached to charters and other public documents, are important for the purpose of tracing the progress of architecture and sculpture. In the twelfth century the seals are remarkable for stiffness, for formal emblems sanctified by religious opinion or by the lessons of masters. In the thirteenth century freedom of style, good drawing, and elegant details characterize them. In the fourteenth century they are surcharged with ornaments. In the fifteenth century these ornaments are refined, new, and strange. The collections M. Vitet saw at Laon, Cambrai, Lille, Arras, and St. Omer, confirm this view of the progress of the arts.

*Paintings* are less to be expected among the remains of the middle age, than sculpture; and it will be vain to look for such paintings as at present bear that title. It is in illuminated manuscripts that the pictures of the twelfth, thirteenth, and fourteenth centuries must be sought. But besides this minute and patient workmanship, the middle age possessed paintings on a magnificent scale. It was upon the walls and roofs of castles and churches, that painters then spread out their gorgeous arabesques and golden figures. These monuments of

art, as once in Greece, were brilliant within and without with bright colours and gilding. From the seventh to the ninth century, the taste for fine colours advanced, and continued to prevail more and more until after the Crusades. The very light of day could not penetrate the habitations of our forefathers except in red, yellow, and azure streams. Compared with the appearance of the old cathedrals, the pale white modern walls form a strange contrast with the painted glass still preserved. In some instances traces of colouring on the walls remain to this day, as M. Vitet found on the porches of the cathedral of Senlis, the church of the Minims at Compiègne; also in several parts of the cathedral of Noyon; in the ruins of St. Pierre-à-l'Assaut at Soissons; a door sculptured in the fourteenth century and painted all over, in the cloisters of St. Jean des-Vignes at Soissons; in the porch of St. Iver at Braisne; upon several little statues in the church of St. Remi, at Rheims; in the ruins of St. Bertin at St. Omer; and in the porch of St. Martin at Laon.

But it is in the ruins of the magnificent castle of Coucy, in the interior of its four noble towers, and more particularly in the colossal donjon which is within them all, that may be seen valuable remains of this architectural painting. Here are seen clusters of golden roses, there gilded branches of various kinds of trees; on one side garlands of painted flowers, on another side painted leaves in all sorts of fantastic forms. M. Vitet was so much struck with this fine fortress of the middle ages, that he planned its complete restoration.

At Valenciennes, in a garret, M. Vitet found another species of workmanship, equally deserving attention; namely some of the valuable tapestry for which Flanders was famous in the fifteenth and sixteenth centuries. At Rheims he saw a considerable quantity of the same tapestry, which belonged to the cathedral and to the church of St. Remi. Besides this he found in the hospital of the city of Rheims some very large painted cloths, which were probably the patterns after which the tapestry was worked. These cloths, between fifty and sixty in number, are of great value. They must be of the middle of the fifteenth century. If they remain much longer in the damp place and in the filthy condition in which M. Vitet found them, he apprehends they are in the greatest possible danger of perishing.

The result of this inspection will probably be, that these and many more such objects will be rescued from premature decay.

The foregoing notice of M. Vitet's researches, is chiefly



due to the pen of M. Magnin of Paris, whose *Essay on the statue of Queen Nantechild and the sculpture of the middle ages*, was the subject of an Article in the *Westminster Review* for January 1833. The record commissioners, and English antiquaries, may perhaps profit by attention to what M. Vitet's further labours may produce.

M. Monteil has produced a very curious history of the different ranks of people during the last five centuries; of which six volumes for the fourteenth, fifteenth, and sixteenth centuries have already appeared; and in which, among a variety of details, the fine arts and artists of those times are admirably described. The brief preface of the author will be the explanation of his work. 'If history were now to be written,' he says, 'for the first time, as it was written by the ancients, and as it is usually written by the moderns, it would be the history of kings, champions, and warriors; but it could not justly be called history. Resolving to abandon prejudice, I have attempted to write the history of all classes in France, as an unprejudiced posterity will assuredly one day write it. I have put together a number of old worlds, which are fast retiring from view; and after raising the edifice out of genuine ruins, I have annexed to each fact and assertion its proper proof. The general characters exhibited are, feudality in the fourteenth century, independence in the fifteenth, theology in the sixteenth, the arts in a new shape in the seventeenth, and reform in the eighteenth century. Before the fourteenth all was feudal and stationary, until we become lost in the obscure. I have laboured twenty years at my work; which must now defend itself.'

The work of M. Monteil may be advantageously consulted for every subject that can interest an inquirer into the history of France, and of European manners generally, of those times. The author's account of painting, sculpture, and architecture in the fifteenth century, is thus expressed in the person of an artist of the time, whose story is told with much spirit.

'At Lyons,' says the artist, 'I became acquainted with an Italian, who undertook to teach me painting. My diligence was great, and my improvement proportioned to my industry. I especially studied the Italian style. "Antonio," said my master one day to me, "be assured, that painting never really existed before the beginning of this fifteenth century, when oil colours were first used. It is the depth and harmony of the tints in oil, which have produced the change; and this new method of painting affords a sort of magic glass, in which the figures seem to be in action. The art might have existed before; but it is clear that excellence in the art has accompanied the

invention of painting in oil. The old painters covered our walls with daubings in little squares like panes of glass. They were ignorant of the fine large pictures on one subject, familiar to us. They knew nothing of perspective. They had not a suspicion of *chiaro oscuro*. They were but little acquainted with colouring, or with any other branch than drawing. The painters of the present day on the other hand, know all these things well; they study geometry, optics, and anatomy; and derive great advantages from the antique, that marvellous and inexhaustible source of beauty. To succeed in your profession, Antonio, you must study the Flemish pictures, especially those of the Maréchal d'Anvers, and the Italian pictures brought to France.—Vol. iv. p. 149.

The artist's further account of his own success, and of the labours and opinions of his friend, affords an opportunity of describing the state of painting, sculpture, and architecture.

'Formerly,' says the painter, 'my art being displayed upon walls and windows, was less licentious; but now, being hidden in the vellum leaves of books, it conceals there those shameless figures, which corrupt the mind, and are so mischievous. If we surpass the painters of the last age in genius, we are also more licentious. In this particular, Europe surpasses the rest of the world; Flanders the rest of Europe; Bruges the other towns in Flanders. It is this that has brought upon the art of painting a discredit, which I have never shared. Those however who are capable of forming just opinions admit, that never were golden ornaments used so well; that the painters of Bruges equal nature in the colours which they employ; that their carnation rivals the freshness of youth; that in their arabesques and illuminated borders, the bees and the butterflies are on living wings, the fruits are growing on their stalks, and the flowers impart sweet odours; that, in these splendid ornaments, the lace of gold and silver, silken ribbands, and fringe of satin and velvet, are imitated so as never were lace, ribband, and fringe imitated before.'

'I was once employed to decorate a public exhibition, with several other artists of different kinds. One of these was a young sculptor, with whom I became intimate. There are many sorts of sculpture; there is sculpture in coloured wax, sculpture in gilded leather, in porcelain, and still lower, in varnished pottery. My friend was a sculptor in marble and stone; but he often used his chisel more humbly. From working together we were led to discuss the comparative merits of our respective branches of art in different countries. He maintained that the French sculptors were greatly superior to those of Italy. I contested the point, adducing the David of Verrochio at Florence. "Ah," said he, "go to Dijon, to the tomb of Philippe-le-Hardi, and see the fine stone cross of the House of the Holy Ghost." I then adduced the equestrian statue of Donato at Padua. "Go to Nantes," he replied, "examine the tomb of Francis II, Duke of Bretagne." I then adduced the St. Savin of Benedetto at Faience. Said he, "Go to the Church at Loches, and

admire the magnificent statue of Agnes Sorel, or the Mausoleum of Regnault at Corbeil, or the Mausoleum of Syves in Paris, whose countenance, as she rises from the grave below her, is beaming with youth and immortality. Go to St. Denis, and to the tombs of Kings and nobles all over France. If the great live for the painter only, the sculptor is compensated by exclusively possessing them in their graves.'—Vol. iv. p. 115.

The foregoing details are given from foreign authors, in consequence of similar pursuits being not neglected in England. Foreign artists are loud in their acknowledgment of the learning and energy with which English writers, collectors, and artists have followed the subject; and a brief notion is here offered in return, of what foreigners are doing in the same field.

ART. XV.—1. *Universalhistorische Uebersicht der Geschichte der Alten Welt, und ihrer Cultur.* Von Friedrich Christoph Schlosser, Geheim-Hofrath, und Professor in Heidelberg. 9 vols. 8vo. Frankfurt am Main. 1826—1833.

2. *Histoire Universelle de l'Antiquité.* Par F. C. Schlosser, Conseiller intime, et Professeur à l'Université de Heidelberg. Traduit de l'Allemand par M. P. A. de Golberg. 3 vols. 8vo. Paris. 1828.

3. *Weltgeschichte in zusammenhangender Erzählung.* Von Friedrich C. Schlosser. 8vo. Frankfurt am Main. 1815—1824.

ONE of the best fruits of the Historical School of Germany, is justly said by a late French author\*, to have been the showing in what the use of political history really consists,—and that narrations have no value, except when they unfold the elements of some form of civilization, explaining their character, their progress, or their actual influence, tracing institutions from their cradle, and watching them in every change.

The purpose of the present author, Professor Schlosser of Heidelberg, and the principles from which he sets out in pursuit of that purpose, will be best stated in his own words, taken from the general observations with which the work begins; and which contain enlightened canons for every historian.

The terms 'Universal History,' are used in a sense somewhat opposed to their common acceptation. It is meant to express by them, the history of mankind considered as a whole of which the parts are connected; and not the history of each

\* *Essai sur l'Etude Historique du Droit, et son utilité pour l'Interprétation du Code Civil.*—8vo. *Strasbourg*, 1833.

people considered separately, and in successive periods of time. He who writes the political history of nations, must examine events, arrange the manner of their occurrence, settle their causes, and out of the multitudinous past draw lessons for the future. He must rarely introduce his own speculations into the narrative; though his sentiments will necessarily be seen in his endeavours to present correctly the bearing which particular events have upon the whole, as well as in the prevailing principles of his work. He must not wander into conjecture, where original sources of historical certainty fail. He must not substitute such conjectures for history. He must not speculate upon the obscure origin of such things as are specially objects of scientific inquiry; for the universal genius of even a Leibnitz could not excel in all branches of knowledge. But he may justly press his researches beyond ordinary epochs, and support his opinions by carefully examining obscure materials, adding to them sagacious observations upon the reasons of things and their essential relations. To do all this, will obviously require many successive attempts; and he who is resolved to write a Universal History with fidelity, must only consider his own as a new effort in aid of a vast and general enterprise. The history of man so viewed, is closely connected with the system of the universe, the knowledge of the sun, the planets, and the material earth. Mathematical science indeed, and astronomy, and chemistry, find limits to human knowledge. But history must never pass them. Therefore in writing the present work, a solar system, and laws to rule the celestial bodies, which by their movement produce the returning seasons upon the earth, have been presupposed; and the character of that earth, after it was so set in motion, the formation of plants, of animals, and lastly of man upon it, have been first examined. All naturalists admit, that the earth has passed through a series of revolutions, the history of which is termed geology. But with a diameter of 8000 miles, of which there has been examined half a mile only, and that merely in a few unconnected spots, it is impossible to consider the earth to be really known to us. The atmosphere surrounding it must be equally unknown. M. de Humboldt ascended the Chimborazo to an elevation of 19,300 feet; Gay-Lussac reached 23,000 feet in a balloon; and some points of the Himalaya mountains may be still higher. But who has examined these points? Who can live there? Who study their character?

A minute history of all nations, accompanied by very frequent references to original authorities, is introduced by a cautious view of what is known of the earth; of its primitive con-

dition, and changes; of the original progenitors of mankind; the place of their primitive abode; their state before the time when the history of human affairs commonly begins; how man quitted that primitive state; and of the first migrations and languages; the origin of agriculture; the first habitations and domestic implements; and the earliest knowledge of the arts. The whole work is written vigorously upon the principle of displaying facts as they occurred, according to the most authentic evidence preserved of their actual existence.

Without attempting to settle the disputed question between the descent of all mankind from two common parents on the one side, and the primæval existence of essentially distinct races on the other, Professor Schlosser adopts what is in some respects a new classification; but he holds all mankind to be capable of improvement and of social happiness. He does not follow Campe and Cuvier, who separate the Europeans, the Kalmouks, and the Africans, according to the social angle; or Soëmmering, who makes a similar separation according to the size of their heads, in which the Kalmouks have the superiority; or Blumenbach, who maintains the oval head of the European to be the reason of his superiority over the wide-headed Kalmouk, and the negro's narrow head to be the reason of his inferiority. He does not even confine himself to the still clearer connexion of races so marvellously shown in their languages. He divides the inhabitants of the earth into three great families as others have done; but he distinguishes them according to certain remarkable moral circumstances, peculiar to each whatever might have been their origin. These families are the Caucasian, the Mongol, and the Ethiopian races.

First, The Caucasian race, in which are included the people of Europe, the ancient inhabitants of Assyria, Babylon, Egypt, and Arabia, the Persians, the Turks, and modern Arabs and Moors, is known in most of its branches, through an unbroken series of history, and by many varieties of civilization.

Secondly, The Mongol race, in which are included the Chinese, the Japanese, the inhabitants of India, and of North and South America, has a less authentic history, and only one kind of limited civilization.

Thirdly, The Ethiopic race, in which are included the people of Africa except the Arabs and Moors, with some of the tribes of the islands in the eastern ocean, have extremely little history, and they seem to have retrograded in civilization.—vol. i. sect. 2. div. 1.

The last remark is subject to an important qualification, to which the daily extending interest of our own times in the

fate of Africa, gives increasing value. This qualification as to the absence of history in regard to the Ethiopians, is expressed in the following terms.

‘It is probable, that details now lost, concerning the power and migrations of the Ethiopians, were known to the Greeks. Herodotus says, that they worshipped only two gods, by whose direction only they began important enterprises. Strabo has preserved accounts of their antient renown; and he examines critically what the poets say of them. Making every proper deduction for exaggerated tradition, and abstaining from all conjecture, it cannot be doubted, that at a very early period of time, the Ethiopians exercised great influence in the world. Both Herodotus and Strabo mention Mersa, the former as an existing capital; the latter as a ruin. Strabo says, that the Ethiopians extended themselves along the frontiers of Egypt, beyond Mount Atlas, to the straits of Gades; and an ancient tradition, known perhaps to Homer, exists, stating that they were spread along the western shores of Africa. Ephorus considered them to be a mighty race in the South, whom he classes with the Indians of the east, the Scythians of the north, and the Celtæ of the west. In Strabo’s time they had fallen into insignificance; and since Meroe ceased to be an empire of priests, the negroes have become such as they now are. Therefore the connexion of their history with that of Egypt will not be clearly established, until greater progress shall be made in decyphering the inscriptions found in that country, upon which subject the learned are now sanguine. Late travellers in Abyssinia have collected proofs, that the religion and civilization of Egypt penetrated deep among the northern negro tribes. Several mummies also, and several monumental inscriptions, show the correctness of the assertions of Herodotus [lib. 11. c. 104.] that many Egyptians of his time were black and had woolly hair. It is accordingly to be inferred, that the negroes were then closely allied to the Caucasian part of the population of Egypt. This was the reason, doubtless, why the Egyptian warriors who emigrated under Psammitch, were well received in Ethiopia. The testimony of the Jewish annals supports the narrative of Herodotus; that testimony represents Egypt as often occupied by a black race, and long governed by conquerors. Nor are the Indians, the Egyptians, or Babylonians, the only people who claimed to have produced conquerors in the times before exact history begins; the Ethiopians as well as they, had warlike monarchs. .... It is probable, that in some very remote ages, the tribes of Africa had been more intimately united than they were in the times of the Greeks and Romans, or than they have been since. Their expeditions among the isles of the Egean sea, and to the west of Europe, left traces of terror upon the minds of men, which survived them for ages after their history was lost.—vol. i. sect. 2. div. 2.

This passage is an example of the ingenuity and discretion with which the author discusses the more obscure points of ancient history. As already stated, he wisely rejects the

dogma that any portion of mankind is essentially incapable of improvement; and when in the progress of his ultimate great design, which extends to the whole history of man, he comes to the examination of the modern black races, the character of his mind, and his vast stores of knowledge, admirably qualify him for weighing their prospects fairly. It is for such men as Professor Schlosser, to take a due estimate of the inevitable effect of the extinction of negro slavery in the colonies of Great Britain, in elevating the negro ultimately from barbarism. The like emancipation will soon be adopted in America, and by the French and other colonies; and since the recent measure passed in England in favour of the slave cannot fail to be followed by the practice of justice to the free Ethiopian tribes intimately connected with us in so many and so widely distributed possessions, the present debased character of those tribes may be reasonably expected to pass away along with their oppression.

The obscure history of the Ethiopian race being thus briefly disposed of, the Mongol race is taken next in order, because among the Chinese, the people of Japan, and India, which compose it, the author thinks may be traced an exact model of the earliest political condition of man that is known. This account is professedly a sketch; and it fills only a single chapter of the first volume of the work; which however will be found to be a valuable introduction to native oriental history. The remainder of the work contains the history of the Caucasian race; the first, second, and third volumes comprising that of the Jews, the Greeks of Western Asia, and Northern Africa, until the empire of the Romans arose. In six succeeding volumes is comprised the history of the Roman Empire, and of Europe from the earliest times to the sixth century of the Christian æra.

The whole of this history is divided for each people into successive periods of time, varying in duration according to the importance of their events; and each period is concluded by a special inquiry into the character of its literature, and of the domestic administration and manners of the people under examination. The surprisingly abundant illustrations are arranged with great distinctness. The ability with which this part of the work is executed, may be inferred from the following passage, displaying the purpose and character of the great writers of Greece during the zenith of her glory, the period of her successful struggles against Persia.

‘Athens was now the master-mind of Greece which for the most part took its tone from her. It is therefore in her institutions, in her

science, and in the manners of her people, that may be found types of the manners, the science and the institutions of all the country. [Vol. ii. p. 72] ..... While party rage and thirst for power corrupted many of the Athenians, riches and luxury were fatal to many more ; and the multiplication of slaves in the hands of others destroyed that balance of property between man and man, which is so essential to the well being of society. At the period now under review, most of the free citizens had abandoned all employments of which slaves were capable ; and they themselves lived ordinarily by military service, or upon the sums which they received for attending courts of justice or public meetings. They even looked habitually for the chance of an enemy's town being distributed among them in plunder. The cheapness of the necessaries of life compared with the means of profitable occupation, permitted every Athenian without loss to his fortune, to devote his time to the fine arts, to the theatres, to the walks of the philosophers, to music, and every other enlightened social pursuit. How familiar in those days must all without exception have become with the arts, when in the public markets, in the very shops where they congregated, in their porticos, which were their coffee-houses, conversations unceasingly turned upon them, and at least every sixth citizen had, in his occupations out of doors, opportunities of acquiring a polished taste. Every man could daily listen to excellent speeches, and wanted no other place of study than the public street and courts of justice, nor any foreign language or instructions other than were connected with his own immediate way of life. They were constantly exercised in eloquence and reasoning ; and all might be called upon to give opinions upon affairs of the greatest moment. It is not surprising, therefore, that every Athenian of this period thought himself a better judge of reasoning, of eloquence, and the arts, than even those of his more simple ancestors who made science their especial pursuit. Upon the Athenians mainly fell the shock of the Persian war ; and the genius of the time directed all its efforts with greater or less intensity, towards the gigantic struggle. That is the reason why the varying fortunes of Athens during it, have impressed a peculiar character upon the Greek literature of this period. Both poets and prose writers directly contrast the wild fancies, the blind submission, and the brutal violence of the Asiatics, with the love of order, the love of liberty, the piety, and the patriotism of the Greeks. In their writings may be plainly seen the insolence of their successful countrymen, and the gradual debasement of good old discipline. And if it were not risking too much where details cannot be produced to support the assertion, it might be said that the authors who succeed each other at this period, present in their pages pictures of the political changes in the midst of which they flourished. Pure imaginations, and the unabated vigour of a nobler age, adorn the works of earlier date ; while those which appeared later are remarkable only for the smoothness of a polished style. The sublime productions of the earlier time were evidently written by men of genius, whom reason guided, and a fine fancy inspired. But the later works are the discourses of merely clever men, or collections of common-places.'



'The drama was most especially of Athenian origin. In it Phrynichus, and after him Æschylus, displayed the manners of the people, and the whole policy of the state. Both bring recent events upon the stage; and in their scenes, their dialogue, and their choruses, endeavour to express opinions, or awaken sentiments, proper to the times. Thus Phrynichus dramatized the fall of Miletus, in order to humble the party that had refused aid to their Ionian brethren, and with a view to induce a cordial reception for the unfortunate inhabitants who had sought safety by flight. The play made so deep an impression, that those who were exposed procured its prohibition, and caused the author to be fined a thousand drachmas.'

'In Æschylus we see the portraiture of a mighty period, and the impress of one great ruling sentiment. Every play, and each especial part of every play, is fearfully sublime; and throughout he has reached an elevation of thought almost superhuman. The mysterious worship of ancient Athens, which belongs to her wild democracy, gives a tinge of hoary age to the plays of Æschylus, and intimately connects them with the earliest dawn of civilization. There is also scarcely a play that does not refer more or less clearly to the actual designs of the Persians, to the siege of Athens, the great triumphs of Greece, the respective characters of the Greeks and Persians, their minds and feelings; and if any one sentiment especially prevails in this great writer it is this, that the genuine spirit of liberty can never be crushed; that the brave soul however oppressed by power, will shine even in adversity; that although the might of a despot seem equal to that of Jupiter, an avenging fate ever attends him. The Prometheus exemplifies this remark. .... In that play we see blind tyranny and the power of destruction, in conflict with free magnanimity, with assured reason, and with a tranquil mind. The hero contending for the gifts of intellect, which Æschylus vindicates to the people, is here contrasted with the tyrant's base slave in the person of Vulcan; a being who although conscious of his disgraceful office, is nevertheless impelled by his mean nature to obey. The same contrast is made between Prometheus the hero, and the sanguinary tools of power, Kratos and Bios, who for a price are ready to shed the blood of the innocent; for their low nature has taught them to hate the lofty and noble. Then a proud spirit is contrasted with the soft and gentle soul (in the Oceanides) that offers ready sympathy to the sufferer, and abhors all tyranny, but has no vocation for resistance, no vigour for affording active support; that can neither speak words of terror, nor even risk the danger of hearing them. A further contrast is made between the heroic Prometheus, and Oceanus, a type of those minds so common in the world, who find reasons for our being reconciled to every wrong, and have moral lessons by rote for all calamities; who measure what is due to others by their consciousness of what they themselves deserve, and meanly bend wherever it will profit them, pretending that compliances are unavoidable in the existing condition of humanity. A contrast of quite another kind arises between Prometheus and the unhappy Io; the victim of a tyrant, who is made doubly contemptible, in being the wretched slave

of his own cruel wife. Io, an unfortunate and feeble woman, shall be relieved from her woes in this life; Prometheus on the contrary, the type of the truly free and noble Greece, must be proved to the death, in order that he may be crowned with purer glory. Thus was Athens levelled to the foundations by Xerxes, that she might rise with new honour after the victory of Salamis. Prometheus must be crushed by him who hurls the thunderbolt, and at whose will a vindictive hell yawns to receive the patient sufferer; in order that even in the grave, he may be victorious over death itself, and at his rising to life again, teach the tyrant, that bounds are set to the fiercest despotism.'

'In the Seven Chiefs against Thebes, the whole interest does not turn, as in the *Phœnissæ* of Euripides, upon *Œdipus* and his family; although the thread of the story must be taken. The great points expatiated upon, are the dangers to which the state is exposed from foreign enemies, and religion from the impious, who are personated by *Capaneus*. This peculiarity pervades the whole piece. If in Euripides we meet the family of *Œdipus* at every step, *Æschylus* presents to constant view his country, its external perils, and its protection by the gods. This distinction is most apparent in the characters which close both plays; and in the language which they respectively hold. *Œdipus* is the last speaker in the *Phœnissæ*; and he dwells exclusively upon his own fate. But in *Æschylus* the people are the last speakers, with minds full of patriotic sentiments, and overjoyed at escaping from a foreign grasp. Euripides makes *Œdipus* exhibit almost Christian morality, when he says, "If I was dishonoured, being in the condition that I am, I might indeed be an object of pity in my exile. But if I am only unfortunate, why should I utter fruitless complaints? The fate which the Gods appoint to all, we are bound to bear; for all must die."

The *Persæ* is another masterly portraiture of the times, and abounds in sentiments to which every high-minded Athenian would give an earnest assent. It represents exactly the state of Athens; and more superficially, that of Persia. Government by law, respect for order and the common good, personal independence, are here contrasted with the blind subjection of unthinking millions to one man's will, and with the deification of that one, founded upon the utter insignificance of millions. This contrast is perceptible in all directions; but the poet's ruling thought is expressed in the words of the Persian messenger, who tells *Atossa* of the battle of Salamis, and of the terrific attack of the enemy upon the Persians. 'The right wing,' he says, 'first moved on in admirable order, and the whole fleet followed, shouting on every side "Sons of Greece advance, and rescue your wives and little ones from slavery; save your homes, your fathers graves and the altars of your gods from pollution. The hour is come to conquer, or to die."'

In this way also Professor Schlosser traces the political object of *Æschylus* in the three connected plays, the *Agamemnon*, the *Choephoræ*, and the *Eumenides*; as well as in the representations of public and private life among the Greeks in the plays of *Sophocles*, *Euripides*, and *Aristophanes*, doing justice, as he proceeds, to the able criticism in the *Edinburgh Review* a few years ago, suggested by the English translation of the last writer.

The Greek historians, *Herodotus*, *Thucydides*, and *Xenophon*, then come under a similar examination; and the following extracts are perhaps a still more favourable specimen of the originality of the Professor's opinions, and of his writing.

‘The history of *Herodotus*, it is well known, belongs to a somewhat later period; but its ruling principle appears to be precisely similar to that which prevails in the *Persæ* of *Æschylus*. Not that *Herodotus* actually and intentionally pursued the views which we attribute to his work; but his mind and feelings had so steadily this tendency in all that he saw and learned, as to make him seem to have such views. He studiously contrasts the well regulated intellect of the Greeks, with the fantastic confusion of eastern fable which passes for history; the exact chronology of his own country, with the indistinct and endless periods of the barbarians; the critical selection of facts characteristic of Greek history, with the monstrous heaps of materials which the Asiatics accumulated without discrimination. This contrast with the fantastic style of the east, is similar to that in the *Persæ* where whole nations and countless multitudes are represented as overcome by small, disciplined bands of Greeks; so that the different characters of the two peoples are obvious in the causes of the victories gained by the one, and the defeats sustained by the other. .... The purpose of *Herodotus* is to do honour to the love of freedom, which had so often led to victory, and to degrade a condition of thralldom, which had as often ensured defeat; he wished to mark the superior happiness of the poor but contented Greeks, over the barbarians of Asia and Africa however gorgeous their state; to oppose, in short, his countrymen, strong in self-government, to the chaotic confusion of those barbarian millions. Consistently with this purpose, he so arranges his works, that all the nations Asiatic and African with their vicious governments, are placed in presence of the simple, enlightened, and disciplined Greeks. .... The object of his interminable episodes is always plain; but they are to be considered especially in two points of view; the first, that they were meant to recommend the work as a work for the people, and which the young might be induced to read; the second, that the more surprising the exploits of the barbarians might appear, the greater should be the superiority of Greek institutions, and the more brilliant the triumphs of Greek intelligence. It is unnecessary to enter into further details; but one remark may be made in regard to the fabulous stories, the wonders so often discovered by *Herodotus* in merely natural events. A southern climate favours such things; and even in our own days the southern countries of Europe, including the

South of France, are much more prone to the worship of saints and their legends, than the others. Herodotus, who only knew religion through tradition, could no more discard those wonders and fables, than Aristophanes his coarse wit and obscenities. He is a believer, although he often hints a doubt by such expressions as "So it is said, I have so heard." He never wilfully deceives; and the frankness and simplicity of his style brings everything home to the feelings, while the unadorned language, and the very prose itself recalls to our minds in the midst of mythological tales, that we are nevertheless upon historical ground. The two last books are devoted to unfolding the plan of the preceding narration; and from the beginning to the end, all the work is intended to teach a great political lesson to the whole Athenian people.'

'It is the last point of the universal appeal made by Herodotus, which renders it necessary, in considering the history of Thucydides, to refer it to a period of time about forty years later; for in him may be recognized a new state of the public mind. The people no longer took a common character from a common mode of education, and the faithful historian must no longer contemplate the whole people in one undistinguished mass. Distinctions had been introduced into the ways of instructing the various classes; and he whose object it was to discover truth, was compelled to address the wiser portion of his countrymen. Thucydides felt that the moment was come, when the spirit that had carried civilization to the height at which it stood, and the intelligence necessary to keep it there, were gradually waning. While Herodotus often unconsciously portrays the mighty tendencies of the times of the wars against the Persians; while he describes the people's respect for religion, for uncorrupted manners, for law, and for the first law of all, which is the public liberty; Thucydides shows the causes which weakened these noble tendencies, and marred this spirit. It may justly be said that in Herodotus the age speaks, or that he is its organ; but that Thucydides is above his age, and that strong in his own philosophy, experience, and in knowledge of mankind, in which he is far advanced beyond his contemporaries, he expresses his grave and earnest opinions to the few who are wise, and authoritatively declares to them how the good spirit of their fathers may be revived. If Herodotus, by the variety of his subjects, and an admirable arrangement of them, provides nourishment and exercise for the affections, Thucydides has given abundant intellectual food for the understanding. In him there is everywhere seen a rich and deep knowledge of the heart; and the display of character is so fine, that we look at the work as at a painting or an acted play. This is no less true in regard to the speeches, than the narrative. In Herodotus, the speeches are lively pictures of the times, the express and eloquent image of the feelings; in Thucydides they are the forcible results of a wise philosophy. Upon this head there exists another distinction. In Herodotus, as in Homer, the speeches are meant to enliven a long narrative. But Thucydides intends to display the true characters of his great personages by producing their internal reflections along with

their outward actions; and he endeavours to do this by skilfully expressing their reasonings, and embodying their general train of thought. It is therefore indifferent to us whether Pericles actually spoke or not, as Thucydides makes him speak; since we recognize in every word he utters, those peculiar qualities, which gave him so rare a degree of energy. Who does not perceive the school of Anaxagoras in his harsh appeals? Who does not, in his ever-recurring allusions to the public works, the institutions, the science, and the arts of Athens, see the man that made science and the arts essential principles with the Athenian democracy? Who does not, in the skill with which Pericles ever takes advantage of the vanity of the Athenians, and perpetually contrasts their laws with those of Sparta, see the man who bound that ungovernable people with the same magic chain of glory, with which Napoleon in our times ruled his ambitious armies?'

'Thus again the character of Brasidas is admirably displayed in his speeches; his courage and Spartan devotedness in battle; his winning frankness when alliances are to be made, or preserved. An attractive, steady, and most noble spirit is apparent in all he says. The 126th chapter of the Fourth Book is unquestionably one of the finest passages throughout the classics; for its admirable expressions of the confidence of the man; his loftiness of mind; his native and high wrought courage, unalloyed with insolence; his reliance upon the power of his country's institutions to elevate the people and make them brave; in short for portraying perfectly a truly wise and courageous man, tranquil in the consciousness of a good cause even on the brink of destruction. And all this without one word of undue refinement or false pathos. We cannot be deceived in such a character. Thucydides had no intention to mislead us, he affects no sounding phrases, he makes no scenic representation of Brasidas; but it is the historian himself who speaks with the spirit of the living hero.—vol. ii. p. 134—143.

The foregoing notice is far from doing justice to the works\*

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\* The three volumes printed in 1815–24 contain a history of the world to the 14th century. This was the basis of the very improved works noticed in the text. The other works of this able and industrious author are,—

1807 The lives of Abelard and Heloise.

1809 The life of Theodore Beza.

1812 The History of the Iconoclasts.

1819 Dissertation on the Literature and Morals of France in the 13th century; with a translation of a volume by Vincent of Beauvais.

1823 History of the 18th century. 2 vols. 8vo.

1830–33 Archives of History and Literature.

1833 The life of Napoleon, a work reprinted from the Archives.

It is a duty to recognize the merit of the professors of Germany, in return for the estimation in which they hold the great men of England. Professor Luden of Jena has written a life of Sir William Temple, of whom he said one day at a lecture, 'If I know anything of the spirit of history, or if I have learned to judge of political institutions and conduct, it is to Sir William Temple that I owe it all.'—*Russel's Tour in Germany.*

of Professor Schlosser upon the antient world. For comprehensiveness of details, and acuteness of criticism ; for sobriety as well as boldness of opinion, qualities so difficult to be united ; it greatly excels all other productions of the kind. His preparations for the task of the historian, and the wide range of his labours, may be inferred from the list at the head of this paper, and from that in the note. Independently of the intrinsic value of the works of this studious statesman, for a statesman he really is who can write so well and so variously, they deserve especial attention at this moment, inasmuch as they throw great light upon the character of the Germans of the class of which he is a distinguished member. The prospect that the political crisis is fast approaching in Germany, will bring many such men from their closets to the arena of legislative assemblies ; and it is good that their capacity should be known to the European public.

ART. XVI. — 1. *Speech of the Right Honourable Charles Tennynson in his Place in Parliament, on his Motion for referring to the consideration of a Committee the question of Shortening the Duration of Parliaments. July 23rd, 1833.*

2. *Speech of Thomas Babington Macaulay, Esq. M.P. at a Public Dinner given at Leeds to the Members for the West Riding of Yorkshire, November 6, 1833.*

AS to Parliaments,' says Dean Swift, in a letter to Pope, 'I adored the wisdom of that Gothic institution, which makes them annual ; and I was confident, our Liberty could never be placed upon a firm foundation until that ancient Law were restored to us. For who sees not, that while such Assemblies are permitted to have a longer duration, there grows up a commerce of corruption between the Ministry and the Deputies, wherein they both find their accounts, to the manifest danger of Liberty ! Which traffic would neither answer the design nor expense, if Parliaments met once a year<sup>s</sup>.'

On the question of annual Parliaments, such is the opinion of an eminent Tory writer, the friend and adviser of the Arch-Tories Harley and Bolingbroke, in a confidential communication to a Tory friend. Having seen what one of the first of Tories has said in favour of short Parliaments, let us hear what the prince of radicals has said respecting their utility.

'Consider [says Jeremy Bentham] in the first place, the case of each member taken individually. First, the shorter the term he is in his seat,—the nearer, in cases of imputed misconduct, the term at which any mischief produced by such misconduct may be made to cease;—and, in the way of example to others, the more impressive the sort of punishment, involved in a removal produced by such a cause. Second, by lessening by the amount of the difference in the length of the term in the two opposite cases, the inducement which a candidate could have to launch out into expenses too great for his circumstances,—lessening thereby the danger of his coming into the House in a venal state\*.'

'Next consider the case of the whole House taken in the aggregate.—The smaller the length given to that service, the smaller the length of sinister service, which a corruptly disposed member will have to sell; the smaller, consequently the length which it will be in the power of Corruptor-General and Co. to purchase.—The greater the number of the parcels into which the present length of service is broken down,—the greater the number of those lengths of service, which, for the continuance of a given length of corrupt service at the hands of a majority of the members, Corruptor-General and Co. will have to purchase; and thence the greater the chance, that the aggregate number of the masses of the matter of corruption at his disposal, will prove insufficient for that pernicious purpose†.'

The above few sentences coming from two very opposite authorities, each in his way remarkable for acuteness and discernment, and at the interval of nearly a century, contain all that in good sense and sound philosophy needs be urged in favour of the utility and necessity of short Parliaments.

There will here be given a brief review of the history of English parliaments, in so far as their duration is concerned; next, of the arguments that have been advanced in favour of short and long parliaments; and finally a comparison between the practical advantages and disadvantages which resulted to the English people from the respective practices.

In the early period of English history, Parliaments were annual; or in other words, for every session a new writ was issued, and such a thing as a prorogation, or the same Parliament meeting a second time after sitting a session, was a thing hardly known. The cause of this was obvious enough. The service performed by a member of Parliament was a duty exacted of him by the state. The feudal monarchs had little substantial power, and

\* The Prophet was a man whose jokes came from him in pure simplicity, without his knowing it himself. Is it possible to help laughing, at the idea of a Member of the House of Commons coming into the House 'in a venal state'?—*Ed.*

† Plan of Parliamentary Reform, in the form of a Catechism. By Jeremy Bentham. 1817. p. 253.

were too poor to corrupt the representatives of the people. In those early and rude times, the duties of a member of Parliament were compulsory, and may be compared to those which are now exacted from sheriffs, churchwardens, jurors, or even witnesses. There was little honour and no profit to be got by a seat in parliament; and to have compelled a member to have served for two years successively, would have been considered as great a hardship as to compel a man to serve the disagreeable offices of churchwarden and overseer of the poor, or the expensive one of high sheriff, for two or more years following. The king and his ministers summoned the representatives of the people only because they could not raise money without them; pretty much in the same manner as churchwardens summon a vestry, when they think themselves under the necessity of levying a church-rate upon the parish. Accordingly, from the year 1265, or the 49th of Henry 3rd, to 1484, or 1st of Richard the 2nd, there are few years indeed, in which a new Parliament was not held, and these few years are very easily accounted for, either by the absence of the English monarchs in France or Scotland, or the existence of a civil war or depopulating pestilence in the heart of the kingdom. In this long period of 219 years, there are but four instances on record in which parliaments sat even for so long a period as an entire year; while within the compass of one and the same year there were occasionally held two, three, and even four different parliaments. But whatever the cause which produced these frequent parliaments, the results were beneficial. The members came fresh and frequent from their constituents, and were therefore at all times the true representatives of the opinions, feelings, and interests of those who delegated them.

In the fifth year of Edward the 2nd, corresponding with the year 1311, an Act of Parliament was passed ordaining 'That the king shall hold a Parliament once in the year, or twice if need be.' In the fourth year of the reign of Edward the Third, or 1331, an Act was passed which directed 'that a Parliament shall be holden every year once, and more often if need be : ' and as in those rude times, whatever they may be now, kings were somewhat slippery and faithless, this monarch was made to re-enact the same law, and nearly in the same terms, upwards of forty years thereafter. The prerogative lawyers would have us to understand, not that the king is or ever was bound by these statutes of Edward the third to call a new parliament every year, but that they obliged him only to permit a parliament to sit annually for the redress of grievances and despatch of



business—‘if need be\*’ This is contradicted by irrefragable facts. From the commencement of the reign of Edward the first, or 1299, to the commencement of the reign of Henry the seventh, or 1485, a period of 186 years; there sat no less than 135 distinct parliaments; an astonishing number considering the long and frequent absences of the English princes abroad; for this embraces the most active period of the French and Scottish wars. From the commencement of the arbitrary line of princes which began after the civil wars of the houses of York and Lancaster, to the accession of the house of Stuart, a period of 118 years, the number of parliaments summoned was in all no more than twenty-eight, which gives but one parliament for every four years. In the reign of the first prince of this line, Henry the seventh, the number of parliaments held was but three, which gives but a parliament for every three years of his reign. In the despotic government of his son, there were but three parliaments held in a long reign of thirty-eight years. And in the still longer reign of Elizabeth for forty-five years, but ten parliaments were held; while in the joint reigns of Edward the sixth and Mary, making between them eleven years, no less than seven parliaments were held. It thus appears, that the more despotic and powerful the prince, the fewer were the references made to the opinions of the nation; and the contrary.

In the eighty-six years of the Stuart dynasty, only nineteen parliaments were called; giving only one parliament to four years and a half. James the First held but four parliaments in a reign of twenty-two years; and his son, who attempted to govern without them altogether, and by so doing brought on that glorious rebellion against despotism which is after all the real basis of such liberties as the English have been since permitted to enjoy, and without which we should in all probability at the present day have scarcely been on a level in point of public spirit, political liberty, wealth, and industry, with the nations of Germany, held but four parliaments in a reign of twenty-four years. After dispensing with parliaments for twelve years, the first which he summoned, and which eventually overthrew his authority, brought in the first bill for triennial parliaments. The great object in this case was not so much to limit the duration of Parliament, as to secure the existence of one. It consequently provided, that in case the Lord Chancellor did not issue writs to convoke a parliament, the peers of the realm or any twelve of them should do so;—that failing these, the sheriffs, mayors,

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\* Blackstone's Commentaries. Vol. i. B. 1.

and bailiffs should issue the writs, and that if these latter should neglect to do so, heavy penalties being at the same time imposed on all the fore-mentioned parties neglecting to comply, then the citizens, burgesses, and freeholders should of their own accord proceed to elect knights, citizens, and burgesses. The same Act provided, that 'no parliament should be dissolved or prorogued within fifty days of the time appointed for their meeting, nor adjourned within fifty days after their meeting but by consent of either house respectively.' This salutary and vigorous act of legislation was passed in 1640.

In 1664, or four years after the Restoration, this celebrated Act which seemed so effectually to provide for the liberty of parliament, was repealed, and the reason assigned in the preamble of the Act doing so, was that its provisions were in 'derogation of his majesty's just rights and prerogatives.' Another bill was passed at the same time, which by way of compensation provided that the sitting of parliament should not be interrupted for more than three years. This was the work of a parliament the great majority of which consisted of royalists, and which from the number of persons dependent on the crown who sat in it, earned the unenviable epithet of the 'Pensionary Parliament,' and of which the duration was prolonged for seventeen years. The revolution of 1688, which drove a foolish bigot from the throne and placed upon it his own daughter, with her husband his own nephew, was brought about by a temporary union of the two aristocratic parties. As usual, the parties who invited the new prince, neglected to force him into a proper capitulation with the nation. He was admitted to the throne with vague and general declarations in favour of liberty; and it was not until six years after his accession, that they forced him to assent to the celebrated Triennial Bill. The Triennial Bill was first brought forward in 1692, and after passing both Houses of Parliament, was refused the royal assent; it was passed two years afterwards, only because, as Burnett the friend of King William assures us, his Majesty could not obtain a supply without it. So that in reality, as far as royalty was concerned, this grand concession to national liberty, was little else than what in vulgar parlance is called 'raising the wind,' by a needy treasury. The preamble is remarkable. 'Whereas,' it says, 'by the ancient laws and statutes of this kingdom, frequent Parliaments ought to be held; and whereas frequent and new Parliaments tend much to the happy union and good agreement of the king and people,' &c. In this Act, all ambiguity in the law respecting Sessions of Parliament and new Parliaments, was removed. In the im-

perfect reports which are left of the debates in Parliament, the arguments in favour of short Parliaments are given in quaint old English, of which one or two specimens will be given. Harley, afterwards the Tory minister of Queen Anne, and who ultimately framed the Triennial Bill that was assented to by the Crown, is thus represented to have expressed himself in favour of the measure :

‘ A standing Parliament can never be a true representative. Men are much altered after having been some time here, and are not the same men as sent up.’

Hopkins, the member for Coventry \*, spoke thus :—

‘ Our ancestors always aimed at this, as appears by several ancient laws to this purpose. The like was well enough offered at in the last ill times. When men continue here long, they alter. They come up hither free-men, but are here made bond-men. If to be elected be an honour, let neighbours share ; if a burthen, so likewise †.’

Triennial Parliaments lasted from 1694 to 1716, or two and twenty years ; when the Act establishing them was repealed at an interval of one year after the accession of the present family to the throne.

The history of the Septennial Act may be briefly given. It was the illegitimate and violent proceeding of the Whigs for what most people now think a desirable purpose, the preventing a return to the *Rey absoluto* ;—just as the acts of the Tories in 1792 were illegitimate and violent proceedings for what most people now think an *undesirable* purpose, the preventing a Reform of the House of Commons. The facts are these ; and the only way in which they connect with the present inquiry, is by asking whether there is anything in the origin or consequences of the Septennial Act which should be an argument for continuing it now.

The preamble of the Septennial Bill describes the pretexts under which it was enacted. It runs as follows :—

‘ And whereas it hath been found by experience that the said clause hath proved very grievous and burthensome, by occasioning much greater and more continued expenses, in order to elections of members to serve in Parliament, and more violent and lasting heats and animosities among the subjects of this realm than were ever known before the said clause was enacted ; and the said provision of it should it continue, may probably, at this juncture, when a restless and popish faction are designing and endeavouring to renew the rebellion within the kingdom and an invasion from abroad, be destructive to peace and security of the government ; be it enacted, &c.’

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\* Believed to have been afterwards Secretary for Ireland.

† Parliamentary History, Vol. v.

The best speech made upon this occasion against the Septennial Bill, was that of Mr. Shippen;—Pope's 'downright Shippen;' the man whose example the poet said he loved to imitate when he aimed at being bold and plain-spoken. Mr. Shippen used the following words in his place in the House of Commons.

'The main reason for the Bill, is that the dissatisfactions of the people are so great, and the enemies of the government both at home and abroad so watchful, that new elections will occasion new riots, rekindle the rebellion, and be destructive to the peace and security of the government. If this argument be applied to the ministry, I can only answer that it is no concern of ours whether they have rendered themselves odious to the people or not. They are more properly the object of our jealousy than our care. They may be destroyed, and the government subsist. But if it be applied to his Majesty, I will venture to say, that none of those who were called enemies to the government or abettors of the rebellion, could have offered an argument so injurious to his Majesty's honour.'

In the Lords, Earl Poulet urged, 'that King William gained the hearts of his subjects by the Triennial Act; and that it would look somewhat strange that the most popular of our laws should be repealed a year after the Protestant succession took place.' Lord Trevor observed in the same place, what of course it was impossible to deny, 'that if the House of Commons continued themselves, they were no more the representatives of the people but a House of their own making.' And the celebrated Earl of Peterborough, the Spanish conqueror, in reference to the same subject said, 'that if the present Parliament continued beyond the time for which they were chosen, he knew not how to express the manner of their existence, unless, begging leave of that venerable bench (turning to the bishops), he had recourse to the distinction used in the Athanasian Creed, for they would be neither made, nor created, but proceeding.'

The opposition to the bill was in vain. It passed both in Lords and Commons with a majority of about one-third of each House; and, very unlike the reception of the first Triennial Bill, quietly received the royal assent. The friends and framers of the Triennial Bill were for the most part Tories, and its opponents for the most part Whigs. The framers and friends of the Bill for long Parliaments were all Whigs, and its enemies all Tories.

The Septennial Act, although the Whigs soon quarrelled among themselves, kept them in power for a period of four and forty years. The first attempt to repeal it was not made

until 1736, eighteen years after it had been in full operation. By this time the Whigs had split into two parties, at the head of one of which was Walpole, in the administration; at that of the other, the Pultneys, the Carterets, the Chatham, the Pelhams, in other words the *soi-disant* 'patriots.'

'It had,' says Coxe in his memoirs of Walpole, 'been a matter of surprise that a question which was so well calculated to increase their popularity, had not been proposed before. But the fact was that, in this particular instance, the opposition was divided. The Tories and Jacobites who had strenuously resisted the introduction of the Bill, could not obtain the co-operation of the disaffected Whigs, as it seemed to imply a dereliction to vote for the repeal of a Bill which they had once thought necessary for the security of the Protestant succession.'

The fact is that the schismatic Whigs, feeling themselves in a false and scandalous position, would never have moved for the repeal of the Septennial Act at all, had they not been goaded on by the leading Tories, who in hatred of Walpole had joined this section of their enemies. The motion for the repeal was lost only by a majority of 63 in a house of 431 members. The motion was renewed every year afterwards, until 'the patriots' got into power in 1741; and then, of course, 'the patriots' never thought any more about it.

In 1745, the question of shortening the duration of Parliaments was renewed; by the opposition, of course. It is remarkable that the motion on this occasion was not for a return to triennial parliaments, but for annual parliaments, in conformity, as was expressly stated in debate, to the ancient constitution as it subsisted before the war of the Roses and the usurpations of the despotic Tudors. The exact words were, 'that leave be given to bring in a bill to enforce the calling of a new parliament every year, after the expiration of the present parliament.' The 'patriots' were, upon this occasion, somewhat ashamed of defending septennial parliaments, but they felt themselves quite free to abuse annual parliaments; and to praise triennial parliaments, because at the time triennial parliaments happened not to be asked for. The only 'patriot' who defended long parliaments, was Sir William Young; whose speech was full of the ordinary common-places upon the subject. The present Earl Grey, when in 1793 he presented the petition of the 'Friends of the People' for a parliamentary reform, took occasion to observe, that, although at the period of 1745 we were engaged in a foreign war, and there was a dangerous rebellion at home, this was the only occasion in which neither internal insurrection, nor discontent, nor foreign wars, active or prospective, were urged as an argument against shortening the duration of parliaments.

In 1758, with the great Earl of Chatham in power, the attempt to shorten the duration of parliaments was once more renewed and of course successfully resisted ; the division in the Commons giving a majority against the motion, of 116 in a house of 264 members. Smollet upon the result of this division makes the following reflections.

‘ The longest and warmest debate which was maintained in the course of this session, arose from a motion for leave to bring in a bill for shortening the term and duration of future parliaments ; a measure truly patriotic, against which no substantial argument could be produced, although the motion was rejected by the majority, on pretence, that, whilst the nation was engaged in such a dangerous and expensive war, it would be improper to think of introducing such alteration in the form of government. Reasons of equal strength and solidity will never be wanting to the patrons and ministers of corruption and venality. The alteration proposed was nothing less than removing and annulling an encroachment which had been made on the constitution ; it might have been effected without the least pang or convulsion, to the general satisfaction of the nation ; far from being unreasonable at this juncture, it would have enhanced the national representation abroad, and rendered the war more formidable to the enemies of Great Britain, by convincing them that it was supported by a ministry and parliament, who stood upon such good terms with the people. Indeed, a quick succession of parliaments might have disconcerted and perhaps expelled that spirit of confidence and generosity, which now so remarkably espoused and gratified the Sovereign’s predilection for the interest of Hanover\*.’

During the seventy years, from 1760 to 1830, that the Tory party, with intermissions hardly worth naming, were in power, that party which had framed and introduced the Triennial Bill, which had defended it for more than sixty years, which had reviled the Septennial Act for nearly half a century, strenuously opposed itself to the shortening of parliaments in any shape or form. For several sessions, from 1770 to 1780, Mr. Sawbridge, an Alderman of London, had made an annual motion for shortening the duration of parliaments, which was opposed by Whig as well as Tory. In the last-named year, a new light seems suddenly to have burst upon a few of the Whigs and among the rest upon Charles James Fox, who, having constantly opposed the motion before, was now of course taunted for his inconsistency by his then political enemy, and very quickly afterwards political friend and colleague of Coalition memory, Lord North. The causes which gave rise to the change in Mr. Fox’s opinions, were of a pressing and

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\* History of Great Britain, Reign of George the Second.

substantial nature. He was not in power, and he was member for Westminster. In a word, his name appears as Chairman of the 'Society for Constitutional Information' at that very moment. A sub-committee of this Society had drawn up a Report, with a plan for taking the suffrages of the people at the election of representatives to serve in parliament. It was part of the plan in question, that the election of representatives should be annual, and that all the male inhabitants of the country, (aliens, minors, criminals, and insane persons, excepted), should be admitted to vote at the election of representatives. The Report was approved of by the General Committee by the following resolution, which seems of sufficient interest for republication.

*'King's Arms Tavern, Palace Yard.*

*Tuesday, July 18, 1780.*

Resolved—That the thanks of this Committee be given to the Chairman and Members of the Sub-Committee, for the intelligent Report made by them, relative to the Election of Members to serve in the Commons House of Parliament.\*

'That the Report of the Sub-Committee be printed, and copies sent to the several Committees of the counties, cities, and boroughs of this kingdom.

(Signed)

C. J. Fox, Chairman\*.'

The 'Chairman of the Committee of the Society for Constitutional Information' was three times in office thereafter, and always the most influential man in the Cabinet; but never once thought of shortening the duration of parliaments. The Septennial Act in short worked well enough for a man in office. Mr. Burke, always a Whig until he became a renegade and the pensioner of a party which he had passed nearly thirty years of a parliamentary life in reviling, was more consistent in his Whiggery than Fox, and; in the debate of 1780, defended the necessity and the excellence of the Septennial Act. Among his papers was found a copy of his speech on the occasion, full of eloquent declamation and common-places†.

In 1793, the question of parliamentary reform was again brought forward, and, on the sixth of May, the honourable Charles Grey, now the Earl of the same name and first Lord of the Treasury, on presenting the petition of the members of the Society of the Friends of the People associated for the purpose of obtaining a parliamentary reform, and which among

\* Tracts published and distributed gratis by the Society for Constitutional Information. London 1783.

† Burke's Speeches, Vol. ii. p. 160.

other complaints respecting the representation complained that the elective franchise was only 'renewed once in seven years,' is represented as having spoken to the following effect:—

'At the Revolution also the necessity of short Parliaments was asserted; and every departure from these principles, was in some shape a departure from the spirit and practice of the constitution. ...With respect to shortening the duration of parliaments, it did not appear to him that it would be advantageous without a total alteration of the present system.'

Mr. Grey was still more explicit in the speech which he made on the 6th of May 1797, on his own motion for a Reform in Parliament.

In 1821, Mr. Lambton, now Lord Durham, a member of the cabinet which introduced Reform, and now known to have been himself the real author of the Bill, made a motion in the Commons for a Parliamentary Reform; an important part of which was the repeal of the Septennial Act. 'This measure,' he said, 'which I cannot but characterize as a most daring and unconstitutional exercise of Parliamentary authority.' After so characterizing the Septennial Act, he proceeds to state that it may possibly have been 'founded on circumstances of temporary necessity;' and he concludes by observing that he would not 'consider any alteration beneficial which did not include a recurrence to Triennial Parliaments.' Ninety-eight members only, out of 658 representatives of the people, thought it worth while to attend to the debate;—that is, the most material interests of the people were thought worthy of consideration by considerably less than one sixth part of the pretended representatives of the people; and of that fraction much more than one half were hostile to Reform, so that the staunch friends of the people amounted to exactly forty-three, or to about one fifteenth part of their *soi-disant* deputies. If the salutary rule observed in the general government of the United States, of a majority of the House constituting a quorum, had prevailed, at least 330 members ought to have attended instead of ninety-eight.

For the reader's instruction, or at all events for his amusement, are given here a few of the most important divisions which have taken place since the Revolution on the question of shortening the duration of Parliaments, or of Parliamentary Reform generally, which always embraced, except in the case of Mr. Pitt's Reforms, the minor question of duration.



|      |                          | For. |     | Against. |     | Majority |
|------|--------------------------|------|-----|----------|-----|----------|
| 1692 | First Triennial Bill     | 210  | ... | 132      | ... | 78       |
| 1694 | The Triennial Bill       | 276  | ... | 156      | ... | 120      |
| 1716 | Septennial Bill          | 264  | ... | 121      | ... | 143      |
| 1734 | Repeal of Do.            | 184  | ... | 247      | ... | 63       |
| 1745 | Annual Parliaments       | 113  | ... | 145      | ... | 32       |
| 1758 | Shortening duration      | 74   | ... | 190      | ... | 116      |
| 1780 | Do. do.                  | 90   | ... | 192      | ... | 102      |
| 1793 | Mr. Grey, Reform         | 41   | ... | 282      | ... | 241      |
| 1797 | Do. do.                  | 91   | ... | 256      | ... | 165      |
| 1817 | Sir F. Burdett, Reform   | 77   | ... | 265      | ... | 188      |
| 1818 | Repeal of Septennial Act | 42   | ... | 177      | ... | 135      |
| 1819 | Reform                   | 58   | ... | 153      | ... | 95       |
| 1821 | Mr. Lambton, Reform      | 43   | ... | 55       | ... | 12       |
| 1833 | Shortening duration      | 164  | ... | 213      | ... | 49       |

The next object will be to give a brief refutation of some of the arguments which have been advanced in favour of long parliaments, and an examination of those which have been urged against short ones. First then, it is insisted that a Parliament elected by the people to sit for three years, had a right to extend its duration to seven. If it had, it had an equally good right to extend it to fourteen years, or during the life of all its members, or for that matter, to make the pretended representation of the people hereditary in the persons of the sitting members. This argument is derived from the absurd doctrine of the omnipotence of Parliament; or in other words from the gross imperfection of the British constitution, or rather the absence of what is really meant by that term. A *constitution* does not mean an existing state of things; but a constituted agreement or understanding between the community at large and the existing government, touching what things are entrusted to the said government to do and regulate, and what are not. No alteration can be made in the American frame of government, unless such alteration be proposed by two-thirds of both Houses of Congress, or on the application of the legislatures of two-thirds of the several States, comprising the State where a convention for proposing such alteration shall be called; and even in this case, the alteration proposed by the convention shall not be valid, unless ratified by the legislatures of three-fourths of the States composing the Union, or by conventions in three-fourths of the States in question. Here are tokens of the thing entitled a *constitutional majority*; or the commission to a certain majority, of powers not entrusted to a simple one. This is business-like, and shows the Americans mean to be taken care of. Compare this with the facility and levity with which the most popular

of our institutions might be abrogated, or the most vicious and tyrannical laws enacted. The Septennial Act was passed in the Lords by a majority of only thirty-five, and in the Commons by a majority of only 120, in a House of only 432; not less than 126 of the pretended representatives of the people being absent upon this most solemn occasion. The actual number that voted was 276, which is by three votes less than half the number which constituted the national representation at the time. In fact, as the constitution at present stands, a bold and corrupt ministry might carry the worst possible measure by the smallest possible majority. For example, our seven years parliaments might be converted into seventeen years parliaments after the sample of the Pensionary Parliament of Charles II, by the casting vote of the Speaker of the House of Commons, who has 6,000*l.* a year, looks to a pension and a title, and cannot occupy the Chair of the House without the approval of the Crown; and by the casting voice of the Speaker of the House of Lords,—an office held at the will of the Crown, with a salary of 14,000*l.* a year, a title and a pension in prospect.

Junius, who wrote before Conventions for repairing and improving constitutions were known, and before the establishment of American freedom had liberalized mankind, thus ingeniously patches up an apology for the British constitution, while he paints in strong colours the evils which would arise from the omnipotence claimed by the oligarchy.—

‘The power of the legislature is limited, not only by the general rules of natural justice, and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit, that King, Lords, and Commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislative and executive power in the same hands, and dissolve the constitution by an Act of Parliament. But I am persuaded you will not leave it to the choice of seven hundred persons, notoriously corrupted by the crown, whether seven millions of their equals shall be freemen or slaves. The certainty of forfeiting their own rights, when they sacrifice those of the nation, is no check to a brutal, degenerate mind \*.’

The next argument in favour of long Parliaments, and against short ones, is that frequent elections would increase corruption; and of course, that the oftener the election, the more the bribery and corruption. If this were true, there is no foundation for the limit of seven years, nor indeed for any other limitation. To render Parliaments incorruptible they ought to be made perpetual.

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\* Dedication to the English nation.

The purest representative would in this case be the man that was sent into Parliament for life, and the constituency freest from bribery would be that which returned him, because it could be bribed only once in a generation. This argument in favour of long Parliaments was very early set at rest. 'This Bill,' said the Earl of Nottingham, in reference to the Septennial Act, when it was passed in 1717, 'was so far from preventing corruption, that it would rather increase it; for the longer a Parliament is to last, the more valuable to be purchased is a seat in it, and the greater also is the danger of corrupting the members of it.' The fund applicable for the purposes of corruption is neither unlimited nor inexhaustible, any more than the capital to be embarked in any more legitimate speculation. If a member can afford to expend 10,000*l.* and no more on a contested election once in six years, it is clear that he can expend no more if the election should take place twice within that period; or that he could expend only 5,000*l.* on a triennial election, when he can afford to expend double that sum upon a septennial one, commonly of six years duration. The money expended in purchasing a seat in Parliament, is either laid out for ostentation or profit. A Parliament that lasts six years is worth 1,000*l.* a year, or 6,000*l.*; and a Parliament that lasts but three years, at the same rate is worth but half the amount. In fact, for 1,000*l.* a-year, the proprietors of pocket boroughs were in the practice before the passing of the Reform Bill, of furnishing members with seats from year to year; or the seat was purchased out and out for the entire Parliament, at a general election for 6,000*l.*,—for 5,000*l.* if a year of the Parliament had expired,—for 4,000*l.* if two years had expired; and so on. All this of course supposed a monarch in sound health, and whose life was worth six, five, or four years purchase. If the monarch was old and infirm and on the brink of the grave, the bargain was always of a temporary nature. When a member sold his independence out and out, to either of the two oligarchical factions, that is to say pledged himself to vote through thick and thin with his party,—then the patron of the seat let him have it at a diminished charge, for the obvious reason that the patron was a partner in the anticipated profits or advantages, whatever they might be. The farmer who holds a seven years lease of his land, can lay out capital with some prospect of profit, and therefore can claim a better bargain from the owner; but he who holds only a lease of three years has too precarious a tenure to admit of his making any considerable outlay in improvement; while the tenant at will, or he who can be ousted from his tenement at the end of

the year, will hardly dare to lay out a sixpence, and consequently must be charged a higher rent. This is a familiar illustration of a subject almost too plain and obvious indeed for illustration.

But to come to historical facts, the introduction of the Septennial Bill by the ministers of George I was itself a bribe offered to the Whig Parliament that passed it. The tenure of the places of the members was but of three years duration, and the ministers more than doubled the term of the lease; added, in fact, above 130 per cent to its value. Indeed, at the very moment that the Bill was going through Parliament, the friends of corruption appear to have been both active and successful. Upon the motion that the Bill be committed, the ministry had a majority of no more than 72 votes, in a House of 396; whereas, on the final motion, 'that the Bill do pass,' the majority had increased to 143, in a House of 385. Eleven members appear to have absented themselves, and the majority had been doubled. In short, considering the corruption of the times, it seems highly probable that on or about 82 members of the honourable House had either fingered Walpole's gold, or pocketed the bank-notes which by the purest accident were left under their plates, according to the clumsy fashion of the age. In the ten years which preceded the Septennial Act, the sum expended in secret service money was 337,960*l.* sterling. This period embraced five years of what have been commonly called the glorious wars of Queen Anne. In the ten years which followed the passing of the Septennial Act, the sum expended for secret service money was 1,453,400*l.* sterling. The whole of this was a period of profound peace. The difference of 1,115,000*l.* between the expenditure under the triennial and septennial system, is known to have been paid by the Whig ministers, to the members of the Whig Parliament which passed the Septennial Act, and which proved itself in all other matters so subservient to the will of the court. Walpole said, that every man under the new system had his price; he made but one exception, 'he would not,' he said, 'tell who was bribed, but he would tell who was not bribed,' and this was Mr. Shippen — "downright Shippen;" a Tory, a Jacobite, a bitter enemy of long Parliaments, but of integrity beyond suspicion or temptation.

The next objection urged in favour of long Parliaments, and of course against frequent Parliaments, is, that in large places especially, they are calculated to produce excitement, irritation, and unpleasant feeling, among the constituent bodies. The less frequent the election, or the greater the interval at which the elections take place, of course the more violent will

be the excitement and the irritation; and the more frequent the elections, the less violent and the less dangerous will be the excitement. This is human nature, and it is also common sense. But excitement and irritation in large places, supposing them to exist, are a very cheap price paid for good representation. In fact they ought to exist, for excitement and irritation mean nothing more or less, in the mouths of the enemies of popular rights, than that the people take a deep interest in their own concerns,—an interest very inconvenient to those who are disposed to manage or mismanage for them. In the United States of America, the number of elections, either for the general government, the state governments, municipalities, magistrates, judges, or clergymen, is almost innumerable; yet there, in a period of half a century, they have never produced insurrection, tumult, riot, or even inconvenient excitement.

The next objection to frequent elections is the very reverse of the last. If elections are too frequent, the people will take no interest in them; that is to say, they will produce neither excitement nor irritation, but go off too smoothly. This objection has been urged by the same parties that have urged the opposite. One party of our Tory travellers in America, insist that the excitement at the elections in that country, is too great and of too frequent occurrence; while another party insists, that the frequency of elections destroys all excitement and interest whatever; and these last refer with pride and satisfaction, to the turbulence, the violence, the ale, and the drunkenness, of a fifteen days contested election in England under the old system. One enemy of short Parliaments, but a few months back, having dwelt at considerable length upon the inconvenient excitement produced in large places by frequent elections, forgot himself before he ended his speech, and concluded by declaring that at the last Westminster election, being the fifth within three years, the electors said to the canvassers who went about asking votes for the respective candidates, 'Come to us no more about elections, we are plagued out of our lives.' The excitement and the indifference alleged by the honourable member, were about equally well founded.

A further objection made to frequent Parliaments, is that they would render the people insolent, increase their power, and consequently diminish the power of the aristocracy. In this there is plain dealing. There are many ways of stating this objection, all substantially the same, but the terms vary greatly according to the taste of society at the time; because the language which was used towards the people 120 years ago,

would have been indecent fifty years ago, and at the present day absolutely unsafe without much dilution. 'The courtiers,' says Smollet, in speaking of the Triennial Bill of 1692, 'now objected, that frequent elections would render the freeholders proud and insolent, encourage faction among the electors, and entail a continual expense upon the Member, as he would find himself obliged, during the whole time of his sitting, to behave like a candidate, conscious how soon the time of election would revolve\*.' This was no doubt a terrible hardship. By the middle of the reign of George III, this blunt and uncouth frankness of phraseology had become quite obsolete, and disparagement of the people assumed a new garb, of which the following is a sample, from the most eloquent and skilful defender of long Parliaments. 'The destruction,' says Mr. Burke, 'of independent fortunes, will be the consequence on the part of the candidate. What will be the consequence of triennial corruption, triennial drunkenness, triennial idleness, triennial law-suits, litigations, prosecutions, triennial phrenzy, of society dissolved, industry interrupted, ruined; of those personal hatreds, that will never be suffered to soften; those animosities and feuds, which will be rendered immortal; those quarrels which are never to be appeased; morals vitiated and gangrened to the vitals? I think, no stable and useful advantages were ever made by the money got at elections by the voter, but all he gets is doubly lost to the public; it is money given to diminish the general stock of the community, which is in the industry of the subject. I am sure that it is a good while before he or his family settle again to their business. Their heads will never cool; the temptations of elections will be for ever glittering before their eyes. They will all grow politicians; every one, quitting his business, will chuse to enrich himself by his vote. They will all take the gauging-rod; new places will be made for them; they will run to the custom-house quay, their looms and ploughs will be deserted†.'

In the reign of William IV, 'triennial corruption, triennial drunkenness, triennial idleness, triennial law-suits,' are softened down to such gentle generalities as periodical excitement, periodical irritation, periodical 'unpleasant feeling among constituent bodies,' &c. &c.; and in speaking of the Petitions of the people for frequent Parliaments, the very sturdiest of party journals will venture upon no harder language than such as

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\* History of Great Britain. Reign of William and Mary.

† Burke's Speeches, vol. ii, p. 168.

—‘Nothing was more natural than that the voters should wish for a triennial recurrence of their bribes and their ale\*.’

A modern objection to short Parliaments is, that ‘whatever term you fix in law, will in practice be one year less.’ A septennial Parliament, say the holders of this argument, is in practice a triennial one, a triennial Parliament a biennial one, a biennial Parliament an annual one; but what an annual Parliament is we are not told, except indeed by Mr. Burke, who assures us, that it is ‘no Parliament at all.’ History does not corroborate the theory of these reasoners, even in the case of triennial Parliaments. The first triennial Parliament commenced in the year 1695, and the repeal took place in 1716, so that there were in all twenty-one years of triennial Parliaments; or excluding, as ought to be done, the two first years of that Parliament which passed the Septennial Act, nineteen years. During this period, there were under two sovereigns eight Parliaments; but in consequence of the demise of these two princes, two of the Parliaments lasted but for one year each, namely, the Parliaments of 1701 and 1713. Two more were only of two years duration each, owing to changes in the Administration,—that is, owing to the government passing from the hands of one party into that of another. These were the Parliaments of 1698 and of 1708. The remaining four Parliaments lasted, not for two years as they ought to have done by the theory, but for three years, or as nearly so as possible.

It is pretty clear that within the limit which the law prescribes, and as long as to dissolve Parliament at pleasure forms part of the prerogative, Parliaments will be short or long, just as happens to suit the convenience of the party in power. The Whig Parliament which was elected at the accession of the Hanoverian line sat, not for six, but for eight years. In the reigns of the two first Georges there were seven Parliaments in a period of forty-six years; the average duration of which is nearer seven than six years. One of them, as just mentioned, sat for eight years, and two sat for the whole period of seven prescribed by law.

It has been said, that no government will have recourse to a general election in a period of excitement, and that every government will watch whether it may not dissolve the existing Parliament a year before its natural termination. There is no truth in this pretext for the dissolution of Parliaments a year

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\* *Edinburgh Review* for October, 1833, in the review of the ‘*Letters of Horace Walpole*,’

before their natural termination. There is nothing on earth that can make agitation less likely in the sixth year of a septennial Parliament than in the first year of it. On the contrary, as Parliaments have heretofore been constituted, public dissatisfaction with them ought to be greater after six years experience than before. The fact is, the *practice* has been to dissolve the Parliament a year before its legal termination. The Minister thinks he shall find his account in not rigorously insisting upon prolonging the existence of a subservient Parliament up to the moment of its dissolution. This is a sort of insidious bribe by which he endeavours to put the country in good humour with his administration. Those who use this argument can see only the convenience and advantage of the party in power, and wholly shut their eyes to the convenience and advantage of the people.

Those who argue in favour of septennial Parliaments insist after all, that in practice they are little more than quinquennial Parliaments; and in proof of this they refer to the reigns of the two last Georges, during which there is no Parliament of seven years duration, while the average of the whole little exceeds five years. Now, suppose for a moment, that quinquennial or five years Parliaments are all that is right and proper;—still it is desired to depend upon leaving them to the sheerest accident or caprice. If the party in power at the time be strong, and the reigning monarch a young man in the enjoyment of health, then the people are to have Parliaments of six years duration; if the party be weak, and the monarch old and infirm, having a feeble child for his successor, then it may easily follow, that instead of an election every six years, there may be one every six months.

In short, we are desired to depend upon chance, caprice, passion, and party interest, for the exercise of the most important right that belongs to a free people.

Having mentioned quinquennial Parliaments, reference may be made to a report which has obtained pretty general circulation, that the existing Administration is favourable to them, while it deprecates triennial Parliaments, and holds annual ones in aristocratic abhorrence. The cause of this patronage of quinquennial Parliaments, may be considered as frankly explained by the Noble Chancellor of the Exchequer, in his speech on the debate for shortening the duration of Parliaments, on the 23rd of July last. His lordship, with his accustomed candour, is thus reported to have expressed himself:—‘As to the change from seven to five years he would not dwell upon it, for it would make very little difference, either for good or harm.’ Quinquennial Parliaments



would give the English people, who enjoyed triennial Parliaments 140 years ago, exactly what was granted by the Bourbons twenty years ago, in the charter which was forced down the throats of the French people by a million of foreign bayonets. It would concede to the English people Parliaments of one year's longer duration, than the Belgian nation has been enjoying during the last three years as the fruit of their barricades.

There is yet one sweeping argument against shortening the duration of Parliaments, which may be mentioned as an example of the extravagant dislike of the ruling parties to frequent elections, and the exaggeration of language and statement to which they are pushed by that dislike. Earl Nugent, in the debate of 1780, 'declared he had the highest parliamentary authority that ever was, for pronouncing triennial Parliaments in a great measure useless, and extremely unlikely to answer the end proposed, the checking the influence of the Crown. The authority he alluded to, was that of one of the ablest men that ever filled the chair of that House, Mr. Arthur Onslow. He had talked with Mr. Onslow on the subject of triennial Parliaments some years ago, and that great man had told him, the proposition was an absurd one, because, if it were adopted, the first year would be taken up in hearing petitions on elections; in the second year the House would be able to do business; and in the third, the members would principally be engaged in soliciting votes and making interest against the next election.' The 'great man and highest Parliamentary authority that ever was,' here alluded to, was a member of that Whig Parliament which passed the Septennial Act,—was three-and-thirty years Speaker of the House of Commons, being first raised to that dignity by the authors of the Septennial Act, and kept in it by their immediate successors. This assertion of the Irish Peer was too much for Mr. Fox, who had now become a recent convert to short Parliaments, and, as already mentioned, even exhibited himself in the character of the Chairman of a Society approving of Annual Parliaments and Universal Suffrage. 'He ridiculed Mr. Onslow's opinion, as stated by Lord Nugent, and said, that the noble Lord's whole speech was a sample of that contemptuous conduct, which the ministry assumed whenever they thought themselves secure; their way constantly was to be afraid, when they first heard of anything that looked like danger approaching them, and as soon as they began to think themselves safe, to turn the object of their former terror into derision\*.'

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\* Fox's Speeches, Vol. ii, page 276, in the Speech on Mr. Alderman Sawbridge's Motion, 1780.

The next point is the consideration of the practical effects which have followed in this country from short and from long Parliaments respectively. From the year 1265, when the first genuine Parliament sat, consisting of members for towns as well as of members for the rural districts, to the commencement of the civil war of the Roses, above 190 years, England was constantly making advances in industry and liberty, and in the last respect certainly surpassed all other European nations of the same age. All this happened while Parliaments were frequent and almost annual, and although it would be too much to ascribe all this prosperity to the frequency of Parliaments, no one can deny that the frequent appeals made to the will of the people must very essentially have contributed to promote it. This prosperity was interrupted, not by the contention of antagonist principles, civil or religious, but by paltry disputes whether this or that family should be first magistrates of the country. Pitiful as was the cause of contention, it involved the nation in anarchy and blood for nearly fifty years, and for ages put an end to the frequency of Parliaments.

The only period of short Parliaments which remains to be cited, is that in which the Triennial Bill was enforced, from 1694 to 1716, embracing only part of the reign of William III, and the reign of Queen Anne; for it is necessary to exclude the two years of the reign of George I, during which the party was in power that committed treason against the Act. Narrow as this period was, it is found crowded with public acts favourable to national liberty. During the war which preceded the peace of Ryswick, or in the session of 1692, Parliament had voted 54,000 men for the land service. The first triennial Parliament on the return of peace, reduced the 54,000 men to 10,000, and this in spite of a recommendation in the king's speech, to keep up a great navy and a standing army. King William and his ministers did, notwithstanding this, keep up a large navy and a standing army, a great part of the latter consisting of Dutch guards and regiments of French refugees.

The second triennial Parliament, highly indignant at this refractory proceeding on the part of royalty, passed a Bill, on the 6th of December 1698, making it illegal to keep up a larger land force in England than 7,000 men, all to consist of natural born subjects of the kingdom. The Dutch guards and French refugees were of course dismissed. William took this conduct of his Parliament so highly amiss, that he actually penned a letter tendering his resignation of the royal office. Of this letter a copy is to be found in the collection of Lord Somers. His majesty, however, having had some time to cool, thought

better of the matter, and went to the House of Lords and gave his assent to the Bill declaring a standing army and the presence of a foreign armed force in the kingdom illegal. He had another scheme in view. His great object was to retain the foreigners in his service; and he hoped by his submission to their authority to propitiate the Commons, and thus induce them to come into his views. With this object he sent them a message, penned in his majesty's own hand-writing, informing them, that all the necessary preparations had been made for transporting the foreign troops. 'The Commons,' says Ralph, 'with a firmness never-to-be-enough praised or too often imitated, shut their ears against the voice of the charmer, and resolved to adhere to the Act, without giving way to the least qualification.' They voted a civil address to his Majesty, without moving from their first position. The courtiers used every means to get rid of the Commons address, but, in a House of 231 Members, their Amendment was lost by a majority of nineteen.

This memorable example of the effects of short Parliaments, —and without carrying their brevity very far either,— is probably sufficient to make any ministry, Whig or Tory, that has the least tenderness for power or patronage, utterly sick of frequent Parliaments. In the reign of King William, 7,000 men was reckoned a sufficient standing army for Great Britain, and 12,000 enough for Ireland; in all 19,000 men for the United Kingdom. Let us look at the circumstances of the country when this force was deemed sufficient to protect it from foreign and internal enemies. King William, a monarch of disagreeable and unpopular manners, had been but ten years on a throne which he had wrested from his own uncle and father-in-law with the assistance of a foreign force. The expelled monarch was still alive, and living under the protection of, and acknowledged by, the most powerful king of modern Europe. This powerful king, Louis the Fourteenth, was at the height of his power and the fullness of his ambition. England and Scotland abounded with partisans of the exiled family. Ireland abounded still more with these partisans, and seven years only had elapsed since it had been the scene of an invasion and civil war, while the majority of the inhabitants were under the provocation of a broken capitulation, and subjected to a religious persecution. Moreover, the three Nations had their three distinct Parliaments, and their three distinct local Administrations. Under all these difficulties, a Parliament which was not septennial thought a force of nineteen thousand men adequate to maintain respect abroad and tranquillity at home.

It is worth while comparing this state of things with our present standing army and our present condition. At present there are demanded for Great Britain 30,000 men, and for Ireland about 26,000, making in the United Kingdom a force of 56,000, or 2,000 more than were thought necessary by Parliament for carrying on the wars of King William against Louis XIV in the zenith of his power, and almost three times as many as were thought necessary as a peace establishment in the time of the same sovereign. Yet the circumstances of the kingdom on a comparison of the two periods, form a perfect contrast, all in favour of the present times. The present family has reigned peaceably over the United Kingdom for 120 years, and the reigning monarch is both popular and amiable. It is 146 years since the expelled dynasty has been driven from the throne, and the last member of the family, a harmless priest and the pensioner of his reigning rival, has been dead for many years. The power of Napoleon Buonaparte, a greater than Louis XIV, has been extinguished nearly twenty years; he has himself been in his grave for fourteen; and for the longest of these periods the nation has enjoyed a profound peace. France instead of an ambitious rival is a peaceful ally. For seventy years, the voice of a Jacobite, louder than the chirp of a grasshopper, has not been heard within the three kingdoms. Then the three kingdoms are united under one Parliament, and virtually under one central administration; and if all national and religious antipathies have not disappeared in the lapse of 130 years, are not long Parliaments and the other concomitant evils of our representation, answerable for their continuance?

Under all these propitious circumstances, and the Reform Act, and the Irish Coercion Act, and the Report of a Committee of the House of Commons assuring us that we are in the enjoyment of the utmost commercial and manufacturing prosperity, and above all things that we have had the advantage of a Whig ministry for three years; how comes it that we are unable to do with a smaller force than thrice the complement which was deemed necessary by the short Parliaments of King William? Let the abettors of septennial Parliaments answer this question; and let the people in the meanwhile consider the great probability which exists, that short Parliaments would think the same force which was sufficient in the distracted time of King William, sufficient at the present day. Should they do so, the force which is at present paid for the service of the United Kingdom, would be reduced by some 37,000 or 38,000; which would be equivalent to reducing the annual expenditure, independently of the ultimate effect upon the dead-

weight, and without taking the colonies at all into consideration, by at least a couple of millions sterling.

There is another illustration which may be given of this question. During the war which ended with the peace of Ryswick, Parliament had voted as already stated, 54,000 men for the land service; and on the return of peace, this was ultimately reduced to 19,000. Now previous to the similar contest which terminated in 1814, the total effective force voted, exclusive of militia, was nearly 200,000 men. After nearly twenty years peace, we find a force of 102,000 voted for the present year's service. According to the rule of King William's short Parliament, there ought to have been 70,000, and the charge, instead of being about five millions and a half, ought to be under four millions; and all this too, exclusive of a dead-weight of upwards of 100,000 non-effectives, at a charge exceeding three millions, which had hardly any existence under the reign of short Parliaments.

One other example of the advantages derived from short Parliaments shall be given, and surely it is a very striking one. The press in England had been under a rigid censorship in its earlier days. In the first year of that Parliament of Charles II which lasted seventeen years, a licensing Act was passed to last for seventeen years. James II revived it in the very first year of his reign, and it was continued in force by 'the glorious deliverer' for four years after his accession, and upon its expiration in 1692 he contrived to get it renewed for two years longer. In 1694, a renewal of the censorship was demanded by the court; but it was demanded of the Parliament which passed the Triennial Act, and it was refused. Similar instances took place on the part of the court in every successive year, until 1698 inclusive, but were pertinaciously resisted by the short Parliaments, which happily then existed. In one word, we are indebted to triennial Parliaments for the liberty of the press as it now exists, and indeed for a liberty of the press far beyond what now exists. Then flourished, or began to flourish, the Lockes, the Drydens, the Temples, the Swifts, the Popes, the Bolingbrokes, and the Defoes.

To this may be added, and the Whigs will hardly venture a contradiction, that the excitement produced by the *annual* Parliaments which actually occurred in the reign of William IV, was what procured for the nation the disfranchisement of fifty-six rotten boroughs, that sent into Parliament twice the number of members for the most part entitled to the same epithet, and the enfranchisement of about fifty great towns, before without representatives.

The next is a much wider field ; the evils which have resulted from long Parliaments, or from no Parliaments at all. From the commencement of the reign of the Tudors to the year 1640, the constant aim of the English princes was to do without Parliaments, or in other words, to govern arbitrarily, without reference to the will or the wishes of the people. Had it not been for the discovery of the art of printing, which took the monopoly of knowledge from the cloister ; of the discovery of gunpowder and fire-arms, which gave civilization for ever an advantage over barbarism ; of the two Indies, which tended to expand men's minds and extend the sphere of their enjoyments ; and the Reformation, which united civil and religious liberty ; it is probable that the long succession of arbitrary and in many respects able princes, who filled the throne in this period, would have succeeded in establishing a despotism. The first long Parliament which ever sat, was that which was summoned in 1640, after Charles I had for twelve years attempted to reign without Parliaments ; this Parliament, apprehensive that the King would dissolve it, passed an Act to prevent his either dissolving or proroguing it. This was an Act very much of the same character with that of the Parliament of 1716, which after being named by the people for three years, named itself for four more. It was however more justifiable, for it was the only means of preventing so arbitrary and so perfidious a prince as Charles, from establishing despotic power ; and indeed it became, for many years, the only substitute for regular government which the country possessed. In this respect the Parliament probably acted more wisely, though less magnanimously, than the National Assembly of France, which not only put an end to its own existence, but passed a decree that none of the existing members should be re-elected\* ; by this means depriving the nation of the services of some of the most valuable of its citizens, and committing its interests to less capable hands. This Parliament after it had sitten eight years, but not till after it had been purged by Colonel Pride and subjected to the dictation of the army, beheaded the King, and declared the House of Lords to be useless. These are examples of the behaviour of a long Parliament, which neither Whig nor Tory will insist ought to be imitated.

Charles II, finding he could not govern without Parliaments, thought the next best thing to no Parliament at all, would be long Parliaments, and accordingly the first regular Parliament which sat in his reign was continued for seventeen years. It

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\* *Histoire de la Révolution Française*, par M. A. Thiers ; Tome i.

Hinde Cotton, in his place in the House of Commons, and in reply to the challenge of the ministers, asked if the Riot Act was not an encroachment on the rights of the people, and he proceeded to characterize it as 'an Act by which a little dirty justice of the peace, the meanest and vilest tool a minister can use, who perhaps subsists by his being in the commission, and may be deprived of that subsistence at the pleasure of his patron, had it in his power to put 20 or 30 of the best subjects in England to immediate death, without any trial or form but that of reading a proclamation.' The law by which 'a little dirty justice of the peace' can shoot any given number of his majesty's subjects at an hour's notice, has been persevered in by Whig and Tory, patriot ministry and reforming ministry, for exactly 126 years.

Next year the rebellion took place, and after shooting and hanging a sufficient number of plebeians, and decapitating and quartering a given portion of the peerage, the Whig parliament proceeded to enact the Septennial Law already sufficiently described. In 1716, the Lords, having some remains of humanity and perhaps sympathizing with 'their order' on account of the number of them that were upon the point of being brought to trial, sent down a Bill to the Commons,—a Bill allowing counsel to all persons who should be proceeded against in parliament for treason or misprision of treason. The septennial Commons threw out the Bill at the second reading, so that they barely gave it a decent hearing.

In the next year is a remarkable example of the notion which the Whig ministry and septennial Parliament entertained respecting the freedom of debate. On the 25th of November 1717, Mr. Shippen, the only man in parliament Sir Robert Walpole would say was not bribed, thus expressed himself in the debate on the king's speech at the opening of the session:—'But we are to consider that speech as the composition and advice of his ministry, *especially those parts of it which seem rather calculated for the meridian of Germany than of Great Britain.* It is the only infelicity of his majesty's reign that he is unacquainted with our language and constitution\*.' The words in italics being taken down, it was moved and carried by a majority of 84 in a house of 256, that Mr. Shippen be committed to the Tower. Mr. Shippen having refused to retract or apologize, to the Tower he was sent accordingly, and there kept for six months or until the prorogation. In short, a member of Parliament was committed to the Tower for insi-

nuating in reference to the speech put by the minister into the king's mouth, that his majesty was what he certainly was, a German;—that he entertained the political principles of a German, which no doubt he did;—that he had the misfortune to be unacquainted with the British constitution, which it is natural to suppose that a German prince, who had passed the best part of his life in a camp, must have been;—and that he could not speak English, of which it is notorious that he could not utter one sentence.

The liberty of the Press was equally at a discount with the freedom of Debate, of which the following is proof enough. On the 26th of February 1729, complaint was made that a country publisher had printed some proceeding of the House, purporting to be an account of a debate in it. The printer was ordered to attend at the bar, but pleaded sickness and asked pardon for his offence. Upon this, the honourable House were pleased to dispense with his attendance, but entered the two following resolutions on their journals.—‘Resolved.—That it is an indignity to and a breach of the privilege of this House; for any person to presume to give in written or printed newspapers any account or minutes of the debates or other proceedings of this House or of any Committee thereof.’—‘Resolved.—That upon every discovery of the authors, printers, or publishers, of any such written or printed newspaper, this House will proceed against the offenders with their utmost severity\*.’

The next subject to be mentioned is the notorious Peerage Bill, or the attempt made by the whig aristocracy to limit the power of the crown to create peers, in short, to erect in their own families a perpetual and hereditary oligarchy which must inevitably have usurped the entire powers of government, rendering the chief magistrate a puppet and the people ciphers, or to be quite plain, converting the ‘glorious constitution’ into a Venetian aristocracy. This scheme was introduced in 1719, being only the fifth year after the accession of the house of Hanover and of the Whigs to power. The Whig ministry the patrons of the Septennial Act, the Somersets, the Devonshires, the Argyles, the Sunderlands, and the Stanhopes, were the authors of the scheme. The false and pretended friends of popular rights, circumvented their ignorant sovereign and endeavoured to make him believe that the limitation of the peerage was all for his good. The king accordingly sent a message to the Lords desiring that his prerogative might not stand in the way of the measure. The total number of English peers at

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\* Parliamentary History.



this time, was 178, making with the bishops and Scotch peers 220. The English peers were to be increased by 6; and the 16 Scotch elective peers were to be converted into 25 hereditary peers. In this manner, the entire house of Lords, was to have consisted for ever of 235 peers, spiritual and temporal. The Bill was opposed on this occasion by the Tories, and particularly by Harley earl of Oxford, who had just had a narrow escape with his life and fortune from the persecution of his opponents. In the meanwhile a clamour, as the Whigs called it, had been raised against the Bill throughout the country; and the ministry found themselves under the necessity of postponing it for the present session. In the next, however, the Whigs, determined to establish their oligarchy, brought it forward again; when it passed the house of peers. This violent attempt upon the liberties of the people was something more than the country could endure. The outcry raised against the measure produced a partial effect even upon the Whig House of Commons. Walpole, who quickly perceived the advantage he would derive from fanning the flame of popular resentment, quitted his political friends, and opposed the bill with all his ability; and in a house of 446 members it was lost by a majority of 92.

The standing army which a triennial Parliament thought necessary, in a time of peril, has already been mentioned. It remains to be shown what kind of standing army the first septennial Parliament thought indispensable. While the hereditary monarch was still alive, and while Louis the 14th was not only alive but at the very height of his power, a triennial Parliament thought a force of 19,000 men quite sufficient for the peace establishment of the United Kingdom. Sixteen years after the death of the hereditary monarch;—the year after the death of Louis the Fourteenth, long after his power had been reduced and his pride humbled, and two years after the total suppression of a paltry rebellion which never reached beyond a poor and obscure corner of the United Kingdom;—a septennial parliament could not do with less than a standing army of 32,000 men, or a force nearly 70 per cent more than was thought to be, and found sufficient, in times of infinitely greater peril and difficulty.

It was of course under the management of the authors of the Septennial Act that commenced those evils which this country has experienced from its connexion with the electorate of Hanover, or what Mr. Bentham called 'the annexation of Hanover to Hampshire.' Within the very first year after the accession of the reigning family, the elector of Hanover, by a most unjust aggression upon the king of Sweden in Germany

and the seizure of his ministers in England, had very nearly brought on a most dangerous invasion, which was prevented only by the death of the invader, no less formidable a personage than the famous Charles the Twelfth.

Such are the events which the authors of the Septennial Act, 'that contempt of national right' as Dr. Johnson justly calls it, contrived to bring on within the short compass of 30 years. In fact, with the exception of the rebellion of 1745 and the persecution of the press which took place in 1729, the authors and promoters of the Septennial Bill had the ingenuity to crowd the whole delinquencies in question into the narrow space of five short years.

The reader has now had an opportunity of instituting a comparison of the advantages and disadvantages which have resulted to the nation during periods of nearly equal length, under short and under long parliaments. It would be absurd to ascribe to long parliaments alone, all the political evils which have been experienced in the remaining unexamined period of nearly 90 years of septennial parliaments. These parliaments formed but a part, although certainly a very material part, of that oligarchical system from which have flowed so many evils; such as,—40 years war out of 90;—the contracting of a debt of above 700 millions sterling since the Septennial Act, requiring taxes of above 28 millions a year to pay the bare interest;—the loss of colonies now containing half as many inhabitants as the parent country, and constituting one of the most powerful nations in the world and the most flourishing which the world ever saw;—and finally the domination for nearly 70 years, for the interruptions are hardly worth naming, of one party,—that party being the same which, out of power, resisted the Septennial Act and every other infringement of popular rights of the times, but which, in power, has worshipped long parliaments, and in its encroachments upon the rights of the people, in its fondness for war, in its love of extravagant expenditure, and in its rapacity, has left behind it all that any other had either the power or the courage to commit.

In proof of the accumulating evils which this country has experienced from the want of a due representation of the people,—or in plain terms, from the country being ruled by parties independent of the great party of the people, and for the benefit of such parties,—it will be sufficient to refer to the increasing military force which these parties have required for the maintenance of their authority, and which will always be found to bear a due proportion to the degree in which the interests of the aristocracy and of the people have been op-

posed to each other. In 1698, a standing army of 19,000 men was deemed sufficient to maintain peace and order within the United Kingdom, and to protect it from foreign invasion;—divided as it then was by political and religious dissensions, and with formidable and threatening enemies abroad. In 1716, under apparently more favourable auspices, not less than 32,000 men would answer the same purpose; because one of the parties had then made violent inroads upon the rights of the people, and was meditating others. In 1792, three years after the commencement of the French revolution, with France of course in a very threatening attitude towards the English oligarchy, a standing army of 57,000 men was deemed sufficient for the United Kingdom, India, and the colonies. In 1817, two years after the return of peace, after we had seemed to vanquish all our foreign enemies, and after we had boasted of having attained every object for which we had carried on a war of twenty-two years, and in which we had expended near 500 millions sterling, the oligarchy could not get on without a standing army of 152,000 men, being nearly three times as many as they required before the commencement of the contest. The short Parliaments of King William's time found 19,000 men quite sufficient to maintain order in Great Britain and Ireland. The long Parliaments of George I. could not do without 32,000. In 1792, the country being ruled by him who according to some was 'the pilot that weathered the storm,' but according to others the ignorant pilot who had whistled into existence the greatest hurricane which the country had ever experienced, after seventy-six years of long Parliaments, and after ten years peace, the oligarchy could not maintain order at home with less than 30,000 men. In 1828, the victor of Waterloo being at the head of the administration, the standing force which was found necessary to keep the people under, and the aristocracy in the enjoyment of power and patronage, had increased to the number of 53,585. The Whigs are now in power, and they cannot keep themselves in it without a standing army which is very nearly twice as great as that which was maintained under the ministry of Pitt,—under the rule of that man whose administration they had a thousand times over denounced, and with justice too, as tyrannical, rapacious, and oppressive. The present non-effective land force, that is to say the military pensioners of the nation, are about 103,000 men. They are equal in number to the real army; they are bordering upon being twice as numerous as the effective army before the war of the French revolution. They are more than three times as numerous as the effective army of George I; and more than five

times as numerous as the effective army of William III. Instead of diminishing in costliness with nearly twenty years of peace, they have been constantly increasing; and the charge at the present moment is no less than half a million beyond what it was in 1817. Such are septennial Parliaments; such is the government of parties; and such is not the government of the people.

The repeal of the Septennial Act, and a return to short Parliaments which would render the members substantially responsible to their constituents, will of necessity be hateful to any party in the possession of power, which is not the express delegation of the people, and deriving its power directly from their support. Every party, considered by itself, is interested in doing the least it can for the people and the most for itself, the moment it is in power. The people must recollect this, and calculate that every ministry will as upon all former occasions have recourse to every species of sophistry in order to preserve a servile and an irresponsible Parliament, to the last moment that there is any chance of its prevailing.

‘If you reflect,’ says Junius in his *Dedication to the English Nation*, ‘that in the changes of administration, which have marked and disgraced the present reign, although your warmest patriots have in their hour been invested with the lawful and unlawful authority of the crown, and though other reliefs or improvements have been held forth to the people, yet, that no one man in office has ever promoted or encouraged a Bill for shortening the duration of Parliaments; but that (whoever was minister) the opposition to this measure, ever since the Septennial Act passed, has been constant and uniform on the part of government; you cannot but conclude, without the possibility of a doubt, that long Parliaments are the foundation of the undue influence of the crown. This influence answers every purpose of arbitrary power to the crown, with an expense and oppression to the people which would be unnecessary in an arbitrary government. ... The best of our ministers find it the easiest and most compendious mode of conducting the king’s affairs; and all ministers have a general interest in adhering to a system, which of itself is sufficient to support them in office, without any assistance from personal virtue, popularity, labour, abilities, or experience. ... It promises every gratification to avarice and ambition, and secures impunity.’

Nothing can be more true than this representation. It was true in all times of English history which preceded the time of Junius; and it has been equally true of the sixty years which have elapsed since he wrote. The Norman princes, before the accession of the Tudors, called annual or more frequent Parliaments, only because they could not help it. Without Parlia-

ments they could raise no money. In those rude times a seven years Parliament would not have answered their purpose. The members of such a Parliament as could induce the people to part with their money in the rude fiscal organization of those times, needed to be men of influence and authority in their respective districts, known to the people and enjoying their confidence. They were the agents delegated by the people from time to time to make a pecuniary bargain between themselves and the sovereign. The members of a seven years Parliament would have been wholly unfit for such an office. Long before the expiration of their lease, they would have been worn out of the acquaintance of the people,—would have lost their own local influence, and therefore have been useless instruments for raising supplies. The people would have considered them as little better than officers of the crown, and would have viewed them with the suspicion and distrust which would be sure to accompany that character.

The Tudors and the Stuarts never called a Parliament when they could help it; that is, never but when they wanted money. During the reigns of the first-named line of princes, the power of the crown had from a combination of many circumstances, unluckily for the people, received an extraordinary accession, which enabled them often to plunder the nation, or levy money without its consent. The foolish Stuarts attempted to do the same thing, but the increase of civilization had given increased power to the people, and the thing was no longer practicable. Persevering against the spirit of the age, one of them lost his head and the other his throne, and there was an end of the incorrigible dynasty for ever. The 'deliverer of glorious memory,' kept his first parliament on for six years and a half. This restorer of British liberty, who after all was little better than a military despot, and who cold and reserved as he was, could not conceal his personal dislike of the English people, would like his grandfather Charles the First, have done without parliaments altogether for 12 years, or like his uncle Charles the Second, have continued one parliament for 17 years,—but times were changed, and there was no possibility of reigning on such conditions. To do his Dutch majesty justice however, he did all in his power to preserve the royal right of continuing parliaments to an indefinite length, or indeed of refusing to pursue any course whatever which might render parliaments less dependent on him and more dependent on the people. He first refused the royal assent to a bill for excluding placemen from the House, and then he refused it to the first

**Triennial Bill.** These were the last occasions on which a king of England ventured to resist laws which had passed the two Houses of Parliament. When he did pass the Triennial Bill, it was only because he was dependent and needy, and could not help himself.

The Tories out of power resisted the Septennial Act, and for near half a century of exclusion kept up a hot fire against 'the odious measure.' As soon as they came into power, they faced to the right about, took up the opposite position, lauded the Septennial Act, and handed it over to their enemies in its integrity.

The section of the Whigs called the Patriots, when out of power, went heart and hand with the Tories for the repeal of the Septennial Act, for a period at least as long as the duration of the Trojan war. They were afterwards twenty consecutive years in power, and not only did not move for the repeal of the Septennial Act, but resisted such repeal when it was moved for by others.

The subject as brought down to the times of our contemporaries affords the freshest proofs, that no reliance can be placed on men in the possession of power, and that the people have themselves only to rely upon. The Whigs, since the conversion of their leader Mr. Fox in 1780, have, except in the few moments when they had 'angel visits' of power, been decided friends to the repeal of the Septennial Act and a return to triennial parliaments. Behold them now in the exercise of power. The reader is presented with samples of 'in place' and 'out of place' in double columns, thus :—

The honourable Charles Grey  
in 1797 :—

Lord Grey, in 1833, silent ;  
—but Lord Althorp, his colleague and leader of the House of Commons,—

' There was still another topic upon which he had not touched, namely, the duration of Parliaments. If the Reform in the representation was adopted, but not otherwise, it occurred to him, that the duration of parliaments should be limited to three years.'

' As to his own opinion, he was ready to acknowledge that this was a question, that he would support if parliament were in the same situation as heretofore. He had supported it before, because he had felt that the influence of the people in that house was much less than it ought to be, for he always thought that the House should represent the feelings and opinions of the country.'

Lord John Russell, in March 1831 :—

‘ In the first place, his majesty’s ministers brought forward no distinct proposition for shortening the duration of parliaments. The subject had been very much considered by them, and on the whole, it was thought better to have that entirely a separate motion, than to bring it on at the end of a bill which affected the franchise generally, and from which any measure of such a description, as one regulating the duration of parliaments, should be kept distinct\*.

Thomas Babington Macaulay, Esq. M. P. secretary to the India Board, in October 1833 :—

‘ I should not object to quinquennial Parliaments, — that is, parliaments every five years, which would be practically four years parliaments. To such an arrangement, I should not have the slightest objection†.

Lord John Russell, in 1833 :

‘ The right honourable gentleman had placed him in a situation of some difficulty with respect to this question, for if the right honourable gentleman had made a distinct proposition that there should be either annual or triennial or quinquennial parliaments, he should then have had that which he had not at present, a distinct proposition to which he could have addressed himself‡.

The Right Honourable Lord Althorp, in July 1833 :—

‘ As to the change from seven to five years, he would not dwell upon it, for it would make very little difference, either for good or harm §.’

So much for contemporary consistency and contemporary patriotism. The Lord Grey of 1797, out of power, is clear that the duration of Parliaments ought to be limited to three years provided the reform in the mode of choosing Members of Parliament which he proposed took place, but not otherwise. In power in 1833, he is wholly silent, but his colleague and representative in the House of Commons, Lord Althorp, expressing it is to be supposed the sentiments of the cabinet of which Lord Grey is at the head, says in nearly as many words, that he would have voted for triennial Parliaments, provided Lord Grey’s Reform had not taken place. Lord John Russell, as plainly as words can express anything, gave the nation to understand, in his noted speech of the 1st of March 1831 introducing the Reform Bill, when he was explain-

\* Times Report.

† Ibid.

‡ Times Report.

§ Ibid.

ing why it did not form part of the Bill, that his Majesty's Ministers would either introduce a distinct motion for shortening the duration of Parliaments, or at least not oppose a motion to this effect if introduced by others. The subject, according to his Lordship, had been much considered by Ministers. On the 23rd of July 1833, the Whig administration having had time to give the 'much considered' subject seventeen months more consideration, his Lordship complains that the reformers had placed him in a situation of much difficulty and embarrassment, by not stating in express terms what particular kind of short Parliaments were wanted, and for want of a 'distinct proposition to address himself to,' he falls foul of Mr. Cobbett and annual Parliaments, because it may be supposed that annual Parliaments happened not to have been the motion at the time before the House. In 1831, Lord John Russell was not firmly fixed in his seat; a puff of wind would have blown him off. In 1833, he fancies himself firm in the saddle, and that whatever little gambols he may indulge in, there is little danger of his falling to the ground, supported as he is by a septennial Parliament in its first session. This is the rational explanation of his Lordship's language. Mr. Thomas Babington Macaulay, on the 23rd of July 1833, voted against even referring the question of shortening the duration of Parliaments to the consideration of a Committee. In October of the same year, he has made up his mind to perform a profitable voyage to India, and to vote (of all things least expected or wished) for quinquennial Parliaments; but he is against triennial Parliaments, because, according to him, they are in their very nature biennial Parliaments. Lord Althorp, who in 1821 was out of office, and in all former times when the question was before the House of Commons voted for triennial Parliaments, will not, in 1833, when he is in office, say one word about them; but he will bring in quinquennial Parliaments neck and shoulders, and utterly differing from his colleague, the honourable Member for Leeds, declare that they are neither one thing nor another.

'With regard to any influence of the constituent,' says Junius, 'over the conduct of the representative, there is little difference between a seat in parliament for seven years, and a seat for life. The prospect of your resentment is too remote; and, although the last session of a septennial parliament be usually employed in courting the favour of the people, consider, that at this rate, your representatives have six years for offence, and but one for atonement. A death-bed repentance seldom reaches to restitution\*.' This is undeniably just.



A seat in parliament for seven years is to all practical purposes a seat for life. Abundance of examples exist of members of the House of Commons, who have sitten in Parliament for life, voting with every ministry, and all the while in opposition to popular opinion and to popular interests, maintained in their seats by treasury influence or the favour of a patron.

To give the representative a seven years or any other long lease of the right of legislation, is undoubtedly as great an absurdity and as mischievous a proceeding, as it would be in the king to hand over his conscience for seven years to the Lord Chancellor, or give his ambassadors the power of making peace or war on a life lease. The irresponsible power of managing the affairs of the people for any lengthened period of years, is in reality holding out a bounty to the representative to abuse his trust. No private agents could for a moment be entrusted with such a power without the certainty of giving rise to malversation and the ruin of their employers, and surely the same principle is still more applicable to the public agent who is commissioned by the people to make laws binding them in their lives and properties. The question might fairly be put to an aristocratical advocate of long parliaments, how he would relish the project, when he is himself returned for his county to serve in Parliament at a general election, of handing over the entire management of his estate to his land steward without having the power of removing him or exercising the slightest control over his conduct, or even questioning him respecting the disposal of his rents except at the risk of being deemed impertinent, for the seven years that he himself was serving his country.

The proper and expedient period for the duration of a Parliament, is the shortest possible period consistent with public convenience; because the shortest practicable period is that which makes the agent most distinctly responsible to the constituent; and that which secures a responsibility, is most certain of insuring diligence and fidelity on the part of the agent in executing the trust reposed in him. The merchant, the client, the patient, reserve to themselves the power of changing at pleasure the factor that is negligent or fraudulent, the lawyer that is a rogue, or the physician that is a bungler. From the nature of things this is not altogether in the power of the constituent with respect to his representative; because, under the most favourable auspices, some time must be spent upon the election, certain formalities in conducting it must be encountered, and the confidence once reposed in the man selected to discharge a national duty ought not to be suddenly withdrawn. The natural revolution of a year is probably, under all circum-

stances, the most convenient period to select in all countries. Out of the two and twenty states which compose the American Union, it is believed that in nineteen instances the election for members of the popular branch of the legislature is for one year only. In three cases, those of South Carolina, Tennessee, and Louisiana, all of them by the way, slave states, or states in which an aristocracy of blood and colour is established, the elections are for every two years or biennial. For the general congress of the Union, the election for members of the house of representatives is biennial. This is however easily enough accounted for. The duties which the general government of the Union has to perform, are comparatively inconsiderable, when it is considered that every one of the twenty-two members of the Union is itself a sovereign state, makes its own civil and criminal laws, and imposes its own local taxes. It is also to be taken into consideration, that in the case of the particular states of the Union the representatives are on the spot, whereas those of the general government are in a majority of instances at a vast distance from the seat of government, and have to travel to and return from it, at much waste of time and much expense, which seems to render it necessary to extend the duration of the American supreme parliament to a period beyond one year. In a great many instances it takes a month's time for a member of Congress to reach Washington, and of course a month's time to return to his own residence; by which one sixth-part of an entire year is wasted. In this country there is no such plea to be urged against yearly parliaments; for,—with one exception, the small and remote constituency of Orkney and Shetland,—there is hardly a spot in the kingdom from which the representative might not reach the capital in four days, and the great majority may do so in much less than half that time.

The reasons for selecting the natural circle of a year, as the fittest period for the duration of a parliament, are numerous. The recurrence is sufficiently frequent to produce a salutary excitement, and to habituate the constituent to the exercise of the elective franchise. It is not so frequent as to produce embarrassment in the ordinary affairs of life; it is not so unfrequent as to produce too violent an excitement owing to the want of habit in the constituent. It is the time adopted in all the ordinary concerns of life, for the agent to render an account to his constituent. It is the period in which the factor renders an account to the merchant, so that the latter may be enabled to judge whether he shall continue his agent or dismiss him. It is the period in which the banker renders an account of the

money deposited with him. It is the period when all diligent and trustworthy agents voluntarily render an account of their stewardship, and all honest men pay their debts and discharge their obligations.

The friends of long parliaments have insisted that there is a very material difference between a representative of the people and a delegate. These parties imagined that they had fixed a very opprobrious name upon the parliament of 1832, which, urged by the strong expression of public opinion, passed the Reform Bill, when they called it 'The Parliament of Delegates.' To draw a distinction between a representative and a delegate,—between a man, who, in conformity to his appointment, voted according to the will of his constituents, and the man who acting on his own responsibility thought he had a right to vote as he pleased, is one which never could have arisen except in a country where there existed a traffic in seats, where the representation of the people was bought and sold, and where the pretended representative was virtually irresponsible.

The evil of long parliaments has given rise to the recent practice of attempting to bind members by exacting pledges from them on specific questions. If parliaments were annual this practice would be discontinued. The constituency would select the best man, and if his conduct in Parliament disappointed them they would have the power of dismissing him from their service in a few short months. He would be either an incorrigible blockhead, or a man anxious to be turned out of the House of Commons for life under circumstances not very creditable, who would then venture to give a single vote contrary to the known wishes of his constituents. No member would then be heard to talk of the slavery of going into parliament bound hand and foot. No man would be heard to boast, as men now are heard to boast, that they had never given a pledge, and that they never would give a pledge. Even biennial, and for that matter even triennial parliaments, would rid us of all such impertinence.

It is strange that it never occurred to any constituency, that as far as itself is concerned, it may have an annual Parliament when it likes. Why has none ever elected a member on condition of his resigning annually? There are plenty of men, not of the worst sort either, who would exult at an appointment of that kind, as relieving them from the risk of being confounded with the jobbers and *hoc genus omne*, who have made a seat in parliament what a decent man can hardly take. How can a man of respectable habits incur the risk, of being con-

founded with a set of men who represent nobody, are the delegates of nobody, the dirty male prostitutes who come there to sell their shame for what they can raise upon it from the conflicting lusts and passions of the market?

It is not difficult to show that between a delegate and a representative, there is, in practice, in a representative government no real difference. As a legal term, the one is as much a stranger to the English language as the other. We know in England only of members of the House of Commons, or of the knights, citizens, and burgesses which compose the House of Commons, and to express whom collectively or generically, there is in fact no constitutional term. There might be found at least a dozen English words which would equally well express the agent selected by the people to legislate for them, as the word Representative. The French use the word Deputy, and so do the Spanish and Portuguese; the Belgians use the word Representative; and the Dutch and Germans use Deputy and Representative indiscriminately. In the greater number of the States which compose the American Union, Representative is the legal term. In others, however, it is Delegate. In one place the house is called [the House of Representatives, in another the House of Commons, and in a third the House of Delegates. Again, the members of a convention are sometimes called Representatives and sometimes Delegates, and in other cases they are called alike by both names. This matter seems to be just as immaterial, as whether the whole legislature under the representative system shall be denominated a Parliament, a Congress, or a General Assembly.

Thorough responsibility to the constituency is the essential point. The representative of the people must express the sense of the people, or he no longer represents their interests but his own or the interests of a faction. The speedy power of punishing by dismissal the servant who is guilty of breach of trust or negligence, must be fully possessed by the people, or they cannot be said to exercise the elective franchise in its just and necessary integrity; and to insure this end, the most convenient and expedient arrangement would certainly appear to be to have a new Parliament once in every year. At the same time there is no denying that biennial or triennial Parliaments would be a great improvement upon the existing system. The proposal of the quinquennial Parliament,—is like that of the man who had stolen a shilling, and called a parley to propose giving up threepence-halfpenny.

There needs no proof after what has been stated, that no party is to be trusted with the people's interests. The policy of them

all, is to promise the most they can for the people when they are *out*, and do the least when they are *in*. It is exactly in proportion as the people use the means they have, that they will have anything done in their real interest. On which it may be useful to observe, that incomparably the most concise and compendious way of keeping the ball moving, would be to call for shortened parliaments. The Whigs must avow themselves knaves and swindlers, if on being properly pressed they do not accede. Something must be allowed for the torpor of human virtue; and it is too much to expect of public men of any kind, that they should do honestly without a little gentle force. But the shortening of Parliaments is the point to act upon. An extension of the suffrage is a comparatively complicated business, where a world of chicanery may be played off to produce delay. To say for '*seven read three*,' is the briefest of operations, whenever the steam can be got up sufficiently to enforce the process.

ART. XVII.—1. *On National Economy. No. IX. Fraser's Magazine for Town and Country, No. 47, for Nov. 1833.*

2. *The Reason for protecting Home Trade; or, The Principle of Free Trade Refuted.* By William Atkinson.—London; Printed by James Holmes, 4, Took's Court, Chancery Lane. 1833.

3. *The City Magazine, No. II. for December 1833.*—London; Steill.

**T**HERE is nothing like keeping up a running fight, in all matters of Political Economy; and making a tilt at the opponent wherever he may appear. For though the results may at first be scrambling and diffuse, they will make excellent matter some time, for either the originator or somebody else to form into compacter masses. And the mere excitation and interest of this kind of keeping up the ball, has a certain tendency to attract attention to what might otherwise be dull and neglected questions.

In short, in matters of political economy, your enemy is your only friend. If he would only keep his own counsel, his weakness would never be thoroughly found out. But he is always there when wanted; ready to poke forward any weak point on his own side that has been overlooked, or give notice of any direction in which the other party has an opportunity to further his advances.

The first of the opponents cited in the title, thus states his case:—

‘Our readers will probably remember that the points to which we directed their attention were these:—We sketched a view of the operation of the free-trade system on our silk manufacture, and shewed that, as far as the interests engaged in that branch were concerned, the modern nostrum had worked results the most calamitous and deplorable, both as regarded the masters and the workmen. We then inquired what countervailing benefits could be adduced; and we found none, saving the cheapening of silk-gowns and ribands to our cooks and nurserymaids.’—*Fraser's Mag. for Nov. 1833. p. 604.*

Now this, even if there was no more, would be quite enough for answering the opponent out of his own mouth. Suppose a writer was to say, ‘We sketched a view of the operation of the system of putting down robberies on Hounslow, and showed that as far as the interests engaged in that branch were concerned, the modern nostrum had worked results the most calamitous and deplorable both as regarded the masters and the workmen. We then inquired what countervailing benefits could be adduced; and we found none, saving the cheapening of the passage over Hounslow to certain shabby individuals who were in the habit of being robbed there.’ Suppose a man to have made precisely this answer; and what more could be wished of him? The very charge against the silk manufacturers was, that when they proceeded to lay restrictions on buying better goods for the same money or the same for less, they formed themselves into a committee for plundering ‘cooks and nurserymaids,’ and that the good sense of the community will no more allow this to go on, than it would allow the other process to be continued on a similar pretence.

But it happened, *that there was a great deal more.* For it was stated, that the silk-manufacturer not only robbed the ‘cook or nurserymaid’ (that is to say all and everybody who dealt with him) of the difference of price; but that he also robbed of an equal amount the dealer or dealers with whom the ‘cook or nurserymaid’ would under an honest state of things have laid out such difference, and the dealer or dealers besides who would have furnished the goods required to buy the silks in the cheaper foreign market; and that the consequence of all this was, that while the thief on Hounslow only takes a certain sum once, and in the aggregate there may be said to be a balance between one man’s loss and another’s gain,—the plundering manufacturer causes the difference of prices to be lost twice over, by two distinct people or sets of people. So that, inasmuch as he himself only enjoys it once, he ingeniously causes *one pure loss* to the community in the aggregate, (arising out of the circumstance that he purposely throws away the money

on a bad and fruitless process, when it might have been applied to a fruitful one), and so effects an evil in the aggregate, with which the practitioner on Hounslow is actually not chargeable.

All this was said, and not replied to *then*; and it is not replied to *now*. It was 'adduced' over and over, that the loss to the dealers with whom the 'cooks and nurserymaids' would lay out the difference if let alone, was a new and additional loss, that doubled the whole amount, and of course the cessation of it with the other would make a double benefit; yet the opponent says he 'inquired what countervailing benefits could be adduced; and found none, saving the &c. to our cooks and nurserymaids.' After this, is there any use in his being ill humoured at the assertion that

'The man who assumes to himself the title of "practical," declares he has a theory, that it is proper to look only at one side.'

*This* is looking only at one side. First, the most palpable and easiest-seen part of the loss, is represented as nothing because it falls on 'cooks and nurserymaids.' And next, the way in which it had been urged over and over, with all the distinctness of which the arguers were capable, that there was another and additional loss to the same amount, is totally withdrawn and withheld. And this is done in the same breath in which the writer is charging other people with falsehood. Look at his words next following the last quoted; and see how well, if there was either sense or decency in bandying charges of falsehood upon a difference respecting the accuracy of an account, they would fit himself.

'Probably he would be offended if we styled this a simple and deliberate falsehood; but what are we to think of such an accusation, on the part of one who had read our argument? For, having made completeness of view our especial aim, and having first searched, as far as we were able, for facts adducible in defence of the late destruction of our silk manufacture, we turned, in order to omit nothing, to the writings of the free traders themselves, there to discover and set down in the account every item which they could name as of weight on that side of the question.'—*Ib.*

Why, when we were making this search for items, did we leave out *half*?

The 'main argument' relied on by the free-traders, is declared to have been, that 'if imports are prevented by prohibitory duties, exports are prevented to the same extent.' Now, if this were closed with, it conveyed no assertion that if imports are prevented *from one country*, exports *to that same country* must be prevented to the same extent. Nobody on the free-trade

side was so simple as to suppose the words meant this. And lest any body else should be weak enough to think so, it was stated under all manner of forms, that the returns might be made in all sorts of circuitous ways, a trade in gold included; but that the argument rested on the impossibility of the goods continuing to be got without being paid for in *some* way, and on the certainty existing that the trade whatever it was by which they were paid for, would be voluntarily carried on no longer than it was found better than letting it alone. It was therefore a baby's answer, to produce a list of import and export dealings *with France*, for the purpose of showing that the exports thither were greater in the year when the imports were less; for it was plain to everybody to begin with, that counting the daisies in the fields would be just as likely a way of settling anything that was in question. And it was totally contrary to fact, that the producing this childish answer disproved any position of the opponents; for they had never been such changelings as to put themselves into anything half so absurd as the position supposed for them.

The free-traders all along said, that one way of paying for foreign goods was to pay in gold; and that a transit trade in gold for this purpose was just as good as a transit trade in Turkey coffee, or anything else.

'To this we remarked,' says the opponent, 'that it was clear that the French *did* reject our manufactures and take our gold. But that the rest of the supposition, namely, that this would cause our manufactures to be exported in order "to fetch the gold," was altogether chimerical; inasmuch as every market on the globe was already glutted with our goods; so that the idea of sending abroad a further quantity, merely because it was necessary to "fetch some gold" was perfectly absurd. The conclusion, finally, to which we were conducted, was this, that the silks of France were in fact mainly paid for in gold, and that this trade was thus operating a continual drain upon our circulating medium, to the obvious injury of every interest in the country, excepting that of the fixed annuitant.'—p. 605.

Now,—passing by all that was said in answer to this in the way of showing it to be impossible that, glut or no glut, an increased demand and consequently increased price for gold at home should not bring in more gold, and with benefit even to the glutters;—suppose this reasoner taken at his word. Suppose it held to be utterly irrefragable, that more gold *cannot* be got. It is plain, and had been said in a hundred ways before, that nobody will exchange a gold piece for goods abroad, longer than the goods he gets for it are worth more to him than the goods he could get for the same piece at home. The evil



therefore would reduce itself to the pretended injury from diminishing the quantity of 'our circulating medium.' And here the opponent should have been aware, that instead of the fallacy of the Tory times touching the benefits arising from increasing the circulating medium and the evils from the contrary, great advances have been made in demonstrating to *one* important body of the concerned, the operatives, that instead of *their* interest being concerned in increasing the circulating medium, it is when it is increased they lose, and when the contrary they gain,—in short, that the increase of the circulating medium called for by their enemies, is a trick to make the shilling worth sixpence, and instead of the shilling give the operatives eighteen-pence that shall be worth but nine-pence. Not that the operatives or their friends ever thought of entering into any plot or plan for altering the quantity of circulating medium on their own side;—that was a baseness they left to their adversaries, who in the time of Pitt swept off eighty millions by such a process. All they ever demanded was, that things should be left to their natural value; in short, that *nobody* should be robbed on one side or another.

The opponent next is not pleased, because when he 'spoke of the circulating medium being reduced by a million or two a year,' it was understood as meaning that if it was reduced two millions in one year it would be reduced four in two years, ten in five years, and forty in twenty. If it did not mean this, what *did* it mean? Are words to be understood by what they say, or by what they do not? The truth is, that it was intended to notice the continual running out, and to say nothing of the continual running in, or of the only existing alternative, that the running out must cease, like other shifting trades that are occurring every day, the moment it began to do any perceptible harm. If the gold runs in as fast as it runs out, as in serious truth it must do like any other goods that form a transit trade, all that is to be regretted is, that instead of one or two millions a year, it will not run at the rate of ten or twenty. But if it is denied that it will run in, then the immediate consequence is, that the running out must stop, and this as soon as any man concerned can discover himself a loser.

Upon the repeated statement 'that this continual drain upon our circulation is in itself an evil; that is, an evil to the industrious classes;' all that can be done is to request the industrious classes to look into the arguments which have been laid before them, to show that instead of a diminution being an evil to them, it is *exactly* the opposite which has been the screw,—

one screw,—with which the men that lived upon them have ground them to the dust.

At the same time there must be no giving into the absurdity of admitting, that gold *will not* come in, as fast as there is anything to make it run out. There is a certain trade in gold at the present moment,—it is coming in at a certain rate, like water into a pond to keep a level; and if anything should happen to make gold worth more by two per cent, there is no man so ignorant of the common principles of trade as not to know, that this would incontinently quicken the trade and bring in a great deal more. There is nothing about the facts, but what happens in the case of every article in which man ever traded since the creation of the world. If there was a new demand for Turkey coffee from England, as for instance for Russia, this would raise the value of the Turkey coffee at this moment in England, and consequently cause more to be annually brought from Turkey. But nobody ever thought of raising an outcry of national ruin, and destruction to the coffee drinkers. It is plain that if coffee goes out, it can only permanently continue to do so upon condition that more shall come in; and if the English coffee drinkers should attempt a hubbub, on the ground that the price of coffee was finally somewhat raised to them, they would be told that the existence of the trade was evidence that somebody gained more than *they* lost, and that if every man's trade was to be stopped in order that somebody else might gain half what *he* lost, the best way would be to declare all trade a capital offence at once.

‘This is one of the evils upon which we are insisting. First, you take your orders from Spitalfields and Macclesfield, and send them to Lyons; thereby plunging some tens of thousands of workmen into pauperism and starvation: And, secondly, you have, in paying for these foreign silks, to abstract a million or two yearly from your circulating medium; thereby making money-prices fall throughout the kingdom.’—p. 606.

It may be repetition; but what else can be done? What was stated by the free-traders was, that if you oblige people to pay more to Spitalfields or Macclesfield than they can get the same things for at Lyons, you first rob the user of the difference of price; secondly, rob over again of the same amount the dealers with whom that difference of price would have been spent; and thirdly, rob the dealers who in a state of freedom furnish the goods which, whether in a direct way or a roundabout, pay for the goods in France; and that all this useless robbery, is what no man either in Spitalfields or Macclesfield has any right to expect other men to submit to. That if things had been left to

their natural course, the change from the losing trade to the gainful one would have been made gradually, in the same way as a change has taken place in the substitution of printing for manuscript, or in the case of leaving off periwigs; and that if this has been prevented from taking place by dishonest laws, it is a reason why the change should now be effected with some degree of graduality, but not why it should not be effected at all. And the plea of 'abstracting a million or two yearly from your circulating medium,' has been answered already; as far as it is possible to answer to an allegation in all points so rotten, that like Mrs. Quickly no man knows where to have it. Does 'abstracting a million or two yearly,' mean abstracting a new million or two every year, or does it mean something else? When it was assumed to mean what it says, the author was not glad, and said it was a misconstruction. And yet after all there is evidence, that it is intended to mean what it says. What is apparently desired is, that it should mean it, but that it should be said not.

'But a market which is constantly slipping down, lower and lower, with each successive half million of gold remitted to Lyons, is to the industrious classes—to those who are always occupied in making goods at an expected price, and who are ever finding, while this state of things lasts, that the price thus calculated upon is not to be obtained, and ever thus returning home, after every sale, with disappointed hopes and blighted prospects,—the most disheartening and ruinous thing that can be conceived.'—p. 606.

The quiet tradesmen, who understand 'what is what' in their own way as well as anybody else can tell them, are merely invited to sit down and see whether there is any manner of reality in the words or things above uttered. Suppose now it was entirely true, that the market *was* continually slipping down in the way described (though good reasons have been shown why it cannot),—and that a man makes cloth expecting to get for it ten shillings a yard, and by the time he sells it he only gets five shillings, *the reason at the same time being, that the five shillings are everywhere worth the ten.* Is there any individual from John O'Groat's to the Land's End, will hold up his hand and say that man is a loser? Is there any truth in the story of 'disappointed hopes and blighted prospects' at all; or is it a mere tub for the whale, to keep those in play whom it may distract from other objects? If the opponent had said something else, he might have said what was true. If he had said, for instance, that a tradesman who has bought goods for a stipulated sum of money to be paid in six months, and finds that in the course of those six months the value of

money has doubled upon him, is a loser of 100 per cent,— he would have said true. But this is what he has *not* said. And if he *had* said it, it is clear that there must be set off against it the fact on the other side, that the trader who had his debts in this way doubled upon him, would at the same time have his credits doubled also; of which not a word would probably be said.

In answer to the attempt made in this part by the opponent to intermix a charge of personal interest, it is sufficient to refer to the constant efforts that have proceeded from the quarter pointed at, to promote the establishment of any fair practical standard which shall cause alterations in the value of money to correct themselves. Issue an honest paper currency, increasable only on proof that the pound note will buy in the market more than a certain standard quantity of gold or of any other substance that can be proved preferable; and then there is an end of the charge of wanting to cheat as the Pittites did, by altering the quantity of the circulating medium.

But it seems the payment is not to be made with gold after all; so that all the past argument is thrown away. But not a bit more happy is the opponent, under the agency of cotton twist.

‘If the silks of Lyons were really paid for by the cotton twist of Blackburn, that circumstance, which is alluded to with so much complacency by the writer, ought rather to fill him with compunction and shame, for the share he may have had in producing such a state of things.’

‘No one, economist or not, has ever doubted that the great object to be aimed at, with reference to the welfare of our vast manufacturing population, is the increase of the *imports of raw material*, and the increase of the *exports of manufactured goods*. Mr. Booth himself, when picturing forth the future triumphs of the free-trade system, says: “And who shall set limits to a commercial interchange, of which the constituent elements are the capital and skill and enterprise of Englishmen on the one hand, and on the other the *raw produce* of the whole habitable globe.”—p. 606.

The writer of this manifestly did not know, that instead of this being what ‘no one, economist or not, has ever doubted,’ it is what with the greatest difficulty two old women in breeches could be found together in any part of the country to vouch for. He has evidently not the slightest notion, that this is our grandfathers crotchet concerning the benefits of importing raw materials, which nobody has believed in these fifty years. Our forefathers took into their heads, that importing, for instance, a thousand pounds worth of iron, and exporting a

thousand pounds worth of steel watch-chains, was something vastly better for the country than importing a thousand pounds worth of steel watch-chains (supposing they were wanted) and exporting a thousand pounds worth of iron ;—nothing dreaming, that what makes the iron worth a thousand pounds, lumpish as it looks, is simply the fact that there has in one way or other been expended on it exactly the same quantity of industry that makes the watch-chains worth the same sum. If the question was, whether employment and gain should be given to working iron-founders or to working watch-chain makers, there would be some sense in it ; but when the question is of making an advantage to the country one way or the other in the aggregate, it is manifestly an old-wifery, a noodleism, and all the world for fifty years has held it so. It might be pardonable enough in men who like our forefathers were just beginning to feel about them on commercial and economical subjects ; but it will not be pardoned in anybody now, and will be found quite sufficient to sink any vessel of modern times that is weak enough to give it freight. Mr. Booth may truly say, that it would be well for Englishmen if they *could* have the transmuting of the raw produce of the habitable globe into manufactured goods ; and they *might* have had it, if the tyrants of the soil had not stepped in and said ‘ You sha’n’t.’ But that is no proof that a trade in raw material is not as good as a trade in manufactured goods and *vice versâ*, when it happens in a state of freedom to be *profitable to the conductors*. If Englishmen had the universal manufacture spoken of, it would be because there was a great demand for manufactured goods from them, and not for the raw produce of their island. But this result cannot in any degree be forwarded or approached to, by saying ‘ We will not export raw produce when foreigners would be glad to pay us for it.’ It is the foolery of believing, that the way to make the trade that nobody wants with us, is to give up the trade they do.

All the plans of the opponents of free trade end in trying to demonstrate an injury to the manufacturers of some kind ; and this from the men who have condemned the manufacturers and their families to misery by wholesale, by prohibiting the sale of the produce of their labour. And the effort generally consists in telling one set of manufacturers another ought to be robbed to serve them, or in concealing the fact that they are so robbed. Now what possible truth is there in the assertion, that out of two millions worth of silks one million would go directly to the maintenance of the industrious classes, ‘ while, out of two millions worth of cotton twist, our manufacturing labourers would not have the benefit of above *one or two*

*hundred thousand pounds'?* Is it likely, or conceivable, that out of 2,000,000*l.* which is the value of the cotton twist, 1,800,000*l.* are given to people who give nothing in return? There is some quirk, it is not given to people who wear a particular cap, or sit on a particular kind of stool; but that nine pounds out of every ten in the creation of cotton twist are given to people who give nothing for it, is what a parish idiot could not be persuaded of. The whole mystery is, that in the case of silks the two millions were divided among people the greatest part of whom were silk-weavers and their employers of different kinds and degrees, and in the case of cotton twist they are divided among men of a considerable variety of callings, sailors, ship-owners, and the manufacturers of the innumerable kinds of goods which go to pay the labour of the American cotton-planter or wherever else he may be; and the object is to keep all this back, and to tell the silk-weaver that it is the hardest thing in the world he is not allowed to rob the others.

But the opponent still is not content. He says it is *not* paid for in cotton twist; and he appeals to custom-house entries. But it had been intimated that it was smuggled; and he says, but how does not appear, that he knows it was not *that*. He therefore falls back upon the absurdity, that it is paid for in nothing at all. This is what the opponents all along are in their hearts desirous to establish. They think that if they could persuade people they got French goods for nothing,—this would be an inducement to them to forswear the practice. Or if there is any escape from this conclusion, it must reside in the speculation replied to before, that the things are paid for by a continual export of gold, the said export never increasing the quantity of gold that shall come in.

Having thus far laboured in the service of free trade, the same writer undertakes a similar operation on the subject of Absenteeism. He first quarrels with the putting of 'eight supposititious cases;' almost the whole of which he says are marked with the greatest improbability. If so, so much the less trouble for him. If they *do not* happen, it shall be taken for granted he has no dispute upon them; the only case desired to be provided for, was the case in which they *do*. His great joke appears to be, with the idea of an *absentee Sheffield razor-manufacturer*. It would certainly have been better to have said, that by a manufacturer that drinks claret and employs French valets, was meant a *master-manufacturer*, and to have distinctly recognized the fact, that under the administration of the landowners, the operative manufacturers at Sheffield are not in the habit of doing either; because facts show there were those who might mistake on

that point. A razor-manufacturer was assumed at all, merely from razors having been previously instanced as the goods exchanged abroad ; but if the opponent prefers an absentee beef and butter manufacturer, he is perfectly welcome to the substitution.

The case of ' A. B. an Englishman residing at Paris,' with his income of 2000*l.* a year from the 4 per cents, and the widow lady whose house has stood empty since his father died, and the butcher, baker, grocer, in the next street who lose his custom, has been solved over and over in what has been urged before. Suppose A. B. to come over yearly and carry off to Paris 1995 hard sovereigns in his pocket, expending the other five on coach-hire by the way. It has been stated over and over that the effect of this and similar exports, when sharply looked after, is first, to raise the value of the circulating medium in the pockets of all the holders by the amount that makes the diminished total of the same value as the previous one,—in which it is clear that the gains and losses to old debtors and creditors balance each other, and there is no loss in the aggregate. Secondly, that as soon as this rise in the value of the circulating medium is enough to make a Jew's profit (which does not mean what he would get if he could, but what he will work for if he can), there will be an increased demand for gold to coin, unless the government is too stupid to do its business. And thirdly, that this increased demand for gold, must be an increase, assistance, or relief as the case may be, to the trade of whatever kind that is carried on with the countries where gold is procured, to exactly the same aggregate amount as if the 1995 sovereigns had remained to be spent at home. It may not benefit the widow woman in Regent Street, any more than she would have been benefited if her lodger had gone to take another lodging in Pall Mall ; but it will benefit the widow woman, if such there be, that deals in the goods that are bought for South America, or that are bought in consequence of the relief given to the merchant who has overtraded there in times past, and who now can keep his Christmas in the country instead of the King's Bench as he expected.

A way in which this answer will be sneered at, will be by holding out the 1995*l.* as something incompetent to produce any sensible effect ; forgetting that the real assertion is, that there are taken away in this manner two millions yearly, which is certainly competent to produce sensible effects. It is as if a man objecting to take a bucket of water out of the West India Docks at tide time, was invited to take comfort because all he took would run in again out of the river and the sea ; and should reply ' Will you tell me, that such a little matter as a

bucket-full, will ever be restored by affecting the equilibrium with the sea ?'

This is the most naked case. But if A. B. conveys his wealth in any kind of bills, then it is plain that he is at the mercy of English goods being sold abroad to answer them, and that English goods of some kind must be brought to market, directly or circuitously, for that purpose. A reply made to this will perhaps be, that by directing an additional quantity of English goods to the foreign market, he must in a certain degree raise the price of foreign goods of some kind at home. To which the rebutter is, that if he had staid to consume for instance ale at home, he must equally have contributed to raise the price of ale.

Disliking to have 'the currency juggle' mixed up with a question, means disliking the theory of currency being mixed up falsely, but not disliking its being mixed up truly. It might have seemed disrespectful to mention this, if the necessity had not been demonstrated by the opponent. The answer to the attempted argument, touching the obligation on men to consider their country in the disposal of what may happen to be their own,—is, that the whole assertion that a man can injure his country by one of the supposed courses or the other, is a delusion or a fraud, put forward with the manifest tendency or object, to make men submit to a personal robbery and injustice. The whole assertion that the man injures his country by doing as his inclinations lead him, is the thing denied ; it is maintained, and will be maintained, without the slightest flinching or reservation, that the entire charge of damage is a non-entity, a vision, or a trick. The whole plan resolves itself into robbing those who have a just right, in favour of those who have none ; and the outcry raised is of the same nature, as if the inhabitants of Field Lane or wherever else may be the London 'thieves bazaar,' should commence an uproar against the base destroyers of their industry. The complainant has his hand in other men's pockets ; he lives by the breach of the eighth commandment to begin with, and then is vociferous against those who would stop his trade. In all cases of this kind, the question is who is the first taker. It is this that makes all the difference between the struggling parties.

The question is asked, whether the Spitalfields operative is not taxed in his beer and tobacco to pay an officer's half-pay. And is not the robbed man of Blackburn or wherever he may be, equally taxed to pay the half-pay ? Suppose the people of Field Lane were to say, 'We pay taxes on our beer and tobacco ;'—is that a reason why you should be allowed to steal pocket-handkerchiefs ?



Mr. Booth is in like manner brought forward, as wanting to purchase half a county, by putting down the robbery of those amiable persons the landholders. In all cases of this kind, the leading question is 'Which is the thief?' Here is one man bawling out that another has got his handkerchief, and the other is conservative and refuses to disgorge. Which is the original taker? On which side has the power been exercised which deprived a man of his natural right? If Mr. Booth has made a law against the landlords which prevents their selling their corn for what men would willingly give for it, let the landlords hang him up like a dog whenever they can catch him. If the landlords have made a similar law against Mr. Booth, let Mr. Booth preach to them from the text 'Unless ye repent, ye shall all likewise perish.'

The *Weekly True Sun* (Oct. 13, 1833) returns to the attack; and begins by saying that the *Westminster Review* 'abandoned the controversy.' The writer there does not seem aware, that it is sufficient to answer once, and that nobody is bound to repeat. One of the bishops, or his examiner, used to give a candidate for orders a quarter of a sheet of paper, and tell him to 'refute Calvin.' If the writer in the *True Sun* will state in any such compass, the 'certain arguments' which he conceives were not answered, the best endeavours shall be made to satisfy him. As it was, the controversy was growing longer than anybody was likely to read; and as before said, it was conceived that all had been answered once. But the writer in the *True Sun* knows there was another thing that clinched the cessation; which was that he expressed a desire to write on general subjects in the *Westminster Review*; after which, it was not likely that a worn-out controversy would be continued. But he ought not to have said thereupon, that the *Westminster Review* abandoned the controversy.

The opponent thinks he answers the assertion, that\* all which France gains in the existence of her *St. Domingo* (under described circumstances), she gives up in the non-existence of an equal quantity of wealth that might have been raised at home;—by asking if the same answer is not applicable to foreign trade. Certainly it is; who ever thought it was not? The case put, was where there were equal advantages and perfect freedom on both sides; where a man had an equal chance of gain by applying his industry at home, or in *St. Domingo* or any other foreign trade. Does anybody doubt, that in such circumstances, two men of given equal capitals, may establish two

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\* See *Westminster Review*, No. 38. Art. *A Free Trader's Defence &c.*

home trades, or two foreign trades, or one home and one foreign, at discretion? The objector has not read the data.

The Review had said, that under a state of *non-interference*, the utility or harmfulness of a distant establishment for raising produce, in preference to raising something at home to procure it from foreigners by exchange, will be settled by the fact of its being profitable to the conductors, or the contrary. To which the True Sun replies, that under a state of *interference* the profits to the conductors of one trade might be increased. This is going to Edinburgh, to answer a bill due at Exeter.

‘Under the influence of free trade the value of labour sinks, while the value of money rises.’

This is the fallacy by which the working classes have been condemned to half a dozen years more starving under the Corn Laws. The effect of free trade is only to sink the value of the labour of the *dishonest* labourer,—of him who wants to raise his wages by robbing some other working-man of what ought to be his; and it *raises* the wages of the honest labourer, by preventing the dishonest from making a law to hinder him from employment. And if the operatives are told, that this will at all events be good for somebody, and they will not lose upon the whole; then the point concealed from them is, that even if it could be proved that all other men besides operatives were ciphers and not entitled to have a word in the matter, the operatives would in the upshot be cutting their own throats, to the extent of the loss arising by the artificial dearness of the quantity of the commodities concerned which themselves consume. If, as they have been told, it may be indifferent to the operatives who are not silk-weavers, whether a duchess pays 10*l.* for a bonnet or 15*l.* and a duchess has no right to complain;—it is *not* indifferent to them whether their own wives pay 10*s.* or 15*s.* for the same kind of silk, when they have the impudence to think of wearing a little themselves; and the same with corn or any other foreign produce. In this way it is that the operatives allow themselves to be gulled in what may be called a circle.

The great injury practised upon the working classes by their counsellors, is in concealing from them the fact, that all that is to be gained for one working-man by their plans, is to be got by taking it from some other;—that there is no general increase made in the value of labour, but the mere trick of increasing one man’s wages by preventing some other man from having wages at all;—and that telling them they are not *equally* interested in an increasing cheapness of commodities with a duchess, is only telling them that because the duchess loses five

pounds in silk, it is the interest of the working clothier, hatter, cutler, to lose five shillings. The fraud is in giving them to understand, that all the duchess loses, *they* of necessity gain; whereas the 5*l.* the duchess loses, was all first taken out of the wages of the clothier, hatter, cutler, or some such person, to be given to the silk-weaver; and the loss of the 5*s.* is pure gratuitous loss to him besides. It is because they have not the sense to see the folly of this, that they run after the people who invite them to combine to keep up the common loss.

The way to get through the difficulties about 'harpers and harp-strings,' is to keep close to the simplest case. Suppose I were to go to a cutler and say, 'I want a quantity of cutlery from *you*, and what is more, I can tell you that I expect to want a thousand pounds worth every year. And now I will tell you what I want it for. I am the great Twamley, the first dealer in fiddle-strings in London. The best fiddle-strings in the world are made at Rome; I have made an agreement there for a thousand pounds worth annually, and your knives and forks are to be sent to Italy to make the payment.' Now would or would not the cutler be right, in shaking hands with his customer, and asking him to take a glass of wine in his back parlour, as a man who had done new and essential service to the trade? And suppose on the other hand, that the great Twamley, instead of doing this, should encourage somebody to set up a manufactory of bad fiddle-strings in Spitalfields, and there should bestow his thousand pounds a-year in causing lambs bowels to be twisted into an inferior article. Is it not plain that all that was given to the spinners of catgut and their dependents, would be taken from the cutlers and their dependents? And would not the laying out of the money afterwards by either of these two parties, be perfectly the same thing to the community? Here then is the True Sun's mistake. The cutler may build a house in Regent Street with his profits, or the catgut-maker may build a house in Regent Street with his profits; but there cannot by any invention be two houses built in Regent Street out of the matter.

The writer proceeds to the case of the foreign manufacturer of silks; and says—

'Our contemporary forgets, all the while, that before English workmen can be employed in producing goods to be exchanged for French silks, English workmen *must be thrown out of employment*, in order to admit the produce of French workmen. It is difficult to understand how the "living" of the English labourer is to be "improved" by such a process. Let us take the case of the English silk weaver. In his destitution he will, of course, have the pleasure of being told that he

may buy the commodity which he previously produced, more cheaply than he could while he was himself the sole or the chief producer ; but still we are at a loss to perceive how, with diminished wages, or in absolute idleness, he is to "improve" his "living" on the bare strength of such an intimation.'

Now this is all leading off the operatives from understanding that what was said was, not that the roguish workman who wants to have other men kept out of employ by law that he may gain by it, would be the better for the removal of the law,—but that *the honest men whom he is starving and keeping from wages and employment*, would be the better for it. Nobody ever said the roguish silk-weaver would improve his living by having silk brought from France ; they said the honest men of other trades, who would immediately be brought into wages and employment in consequence, would improve their living.

Again,—

'But the Reviewer has observed that the great body of the consumers of silk save something by buying the cheaper silks of France ; and the sum which they save is, he declares, expended in creating a new demand for labour. To what very odd conclusions will not the Reviewer's reasoning lead ! The Reviewer would supersede that demand for labour which the home market for silk would supply, and he then expatiates upon the advantages of a *new* demand for labour, to be created and sustained by a fractional portion of those revenues which created and sustained the previous demand ! The Reviewer would give our silk market to the French producer, and he would, out of the parings from the price of English labour, create a new market for the English labourer ! He would, moreover, contend that the English labourer gains the means of "improved living" by the change !'

See what mere throwing of dust into the eyes of the operatives this is ;—in the manner of people who have an account they do not want to be understood. What was told the operatives was, that when a silk-weaver procures a tyrannical law to prevent other men from obtaining silks from France for 2s., in order that the silk-weaver may charge them 3s., what he did to the other operatives was this ;—first, that he hindered some other operatives from being employed to the amount of the 2s. which is required to obtain the goods from France ; secondly, that he hindered some additional set of operatives from being employed to the amount of the one shilling which would be saved to the consumer of silk, and which such consumer would infallibly spend on something else ; and thirdly, that the final result to the operatives was, that these two last sets of operatives were robbed and kept out of employment to the exact amount of all that was given to the other, and with this further consequence, that (putting

all other people entirely out of the question, and taking for granted to the fullest extent that there is not the slightest objection to robbing any man or woman that is not an operative) the operatives in the mass were finally the losers, by all (be it little or much) they might be induced to expend on silk; and the same for corn or any other foreign produce. And all this the operatives are to be hoodwinked and prevented from seeing, by being told of 'parings,' and old markets being as good as new, and confounding the honest English labourer who is to be brought into wages and employment, with the dishonest one who is engaged in keeping them from him.

The same writer (*Weekly True Sun*, Oct. 20. 1833) proceeds to the question of Absenteeism. He does not present much that is new; and therefore the answers may be brief. The great point on which the question of Absenteeism turns, is the demonstrating that the beef and butter sent abroad in exchange for claret whether swallowed by the owner in Paris or Kilkenny, makes a new claim to the same amount in favour of the working people that make beef and butter in Ireland. The reason why Irish labourers starve, is not that there is not beef and butter in Ireland, but that *they* have not an efficient claim upon as much beef and butter as they could desire. And what is to amend their situation, is not what may make either more or less beef and butter in Ireland, for of that there may be enough to fatten them all ten times over; but it is what may give *them* personally a new effectual demand, for more beef and butter than they would have had without; and this is brought about by the transporting of any quantity of beef and butter not dishonestly come by, into a foreign market instead of bringing into it the market at home. For every pound of beef so sent abroad, there must be a pound more that can be sold with a profit at home, and a pound more that an Irishman of some kind can be paid for helping to bring to market. And this, it is maintained, is just as good for the labouring Irishmen at large, as if the old beef was kept at home and sold to them in the market to the prevention of the new. The owners of the beef removed, have left no debts for it behind; nor if it staid, would the hungry Irishmen get any of it for nothing. And any detriment to anybody from its not appearing in the market, will be compensated by the good to those who receive wages and employment for creating new.

On one point the writer goes wonderfully before his reckoning. He says—

"These teachers are all of them Malthusians—stern upholders of the necessity of the *preventive check*—men who proclaim, on all occasions,

the advantages of lowering the proportion which population bears to the demand for labour—who are clamorous in praise of every commercial movement which tends to increase capital, and to multiply the channels of profitable employment.’

Now the fact is that the individuals spoken of,—though not so stupid as to doubt that men cannot multiply unless they can be fed,—were the very foremost to tell the operatives, that they were the greatest fools upon earth to allow themselves to be diddled with the preventive check, while all the difficulty was the artificial creation of the landlords. Nevertheless it appears that the operatives are quite ready to go on preventive-checking, and vote for Mr. Sadler and the Corn Laws; which is of course their own business. On the last point too, be it remembered, that what was asserted was, that the sending the beef into a foreign market in the service of the absentees *does* create new ‘channels of profitable employment,’ of exactly the same benefit as any consequences of sending the same beef into the market at home.

This opponent like the other, falls into the mistake of supposing, that the matter in debate is whether the owner may do as he will with his own; whereas the point asserted all along, is that it is just the same thing to the rest of the public, whether the owner employs it in the way he likes, or in the way a stupid tyranny would dictate to him.

The argument from supposing the landlords to withdraw a tenth part of the produce of the soil, is built on confounding the consequences in a state of wrong with a state of right. The consequence, if there were no Corn Laws, would be that the people, instead of buying so many thousand quarters as may be in the tenth, from the landlords, would buy them from foreigners; and it is not impossible that the landlords own corn might come back, the landlords paying freight, if they could find no way of disposing of it better. And if the foreign corn was not bought under existing circumstances, it would be the Corn Laws, and not the Absenteeism, that would be the reason.

The refuter of the principle of free trade in the person of William Atkinson, says as follows:—

‘I will now suppose, that there is an Island which is inhabited only by two families: that the members of one family having been able to cultivate the land successfully, procure sufficient food for both. The other family being thus released from the necessity of following this occupation, direct their labour to making articles of clothing, which they do in sufficient quantity for both families. It is obvious, that an

exchange of commodities taking place, the one giving to the other food, the other giving clothes in exchange, both are benefited. At this juncture I will suppose that a third party arrives on the island, bringing with him articles of clothing of a more useful or beautiful kind than those made by the island family. The possessor of these is willing to exchange his articles of clothing for food. He meets the producers of food and tempts them to barter. They, allured by the better quality of the clothes, part with all their surplus produce of food, (with which the stranger departs,) and receive in exchange the articles of clothing. Now, it is obvious that by this transaction, that family of the island whose surplus stock or capital consisted of clothes, must be starved, because their means of procuring subsistence are of no avail. As the means must, in the natural order of things, *precede*, or, as they constitute the only power by which existence can be preserved, so the means being rendered of no avail, that is, destroyed, the existence also must be destroyed.'—*The Reason &c.* p. 5.

The error here, is in putting a purposely contrived case where the change must take place all at once, and applying the results to the case where it is to take place by degrees. Suppose a frigate were to come into port with all her water spoilt, and the people of the port were to say, 'We cannot take the water out and put in fresh, in less than three weeks; in which time you would all inevitably perish.' Would not the people of the frigate say, 'Suppose you were to try changing a little at a time?' This seems to be the same dilemma as Mr. Atkinson's.

He next, like the others, proceeds to the question of Absenteeism; and thinks he has found what doctors call a beautiful case.

'Ancient history affords an instance, which, in its effect on the wealth of a nation, is similar to that of absentee expenditure. When the Romans had subdued Egypt, they imposed upon the people a large annual tribute of corn. Had the author of the paragraph about the non-injuriousness of absentee expenditure been living at that time, and could he have been favoured with a sight of the magnificent port of Alexandria, filled with vessels and animated by Egyptian industry, he must have exclaimed, Happy and prosperous Egypt! What an incentive to the industry of your people do I here see! How fortunate in the possession of such a foreign commerce!'—*Ib.* p. 14.

This is confounding the loss of the corn to the people who have it in ownership, with a loss to be felt by the people who do not own it at all. When the Romans carried off the Egyptian corn, they doubtless wrought great grief to the people from whom they took it, or who if the Romans had been out of the way would have been the owners of it. But they did not work grief to these people and to somebody else besides; they did not take the corn twice over. If a fit had come upon

all these people, of wanting to see Rome, and the Romans had consented to their enjoying their corn in full possession as soon as they all arrived there; the owners would have been contented, like the modern absentees, and there would not have been another race of grievors left behind. The 'author of the paragraph' might lawfully have sorrowed over the Roman taxees; but there would have been no occasion for him to sorrow again over those who had no connexion with the corn but having been paid for growing it,—who would never have had a fragment of it without paying for it,—and who will be as well paid for growing more, as they were for growing the first.

The idea on the American Tariff is a most remarkable one; and wrapped up as it is in the brevity of a Table, many thanks are due to a writer in 'Tait's Edinburgh Magazine \*' for having dragged it into light. The statement, as there correctly described, is, that if the Southern States of America were to transfer their trade to England, America would lose the amount of this trade, *minus* the gain which the Southern States might make by being supplied more cheaply from England.

This is nearly the same kind of fallacy as the 'Island' one; consisting in putting out of sight all tendencies to gradual compensation. Suppose a rich old American farmer had two sons, to whom he means to give his wealth, and it is believed that in that part of the country there is little or no perceptible difference between employing money in farming or in manufacturing pursuits. And suppose one of the sons, contrary to his father's predilections, but supported by the urgency of his mother who says he is a weakly boy, determines that nothing will do for him but looking after a manufactory. And the mother moreover urges, that it will be a family convenience that Thomas should manufacture the things John wants, and take John's farming produce for himself and people in return; whereupon the old man yields, and sets up each son with 20,000 dollars. And some time afterwards, the mother comes and says, that Thomas is going on but badly, and in fact does not make both ends meet; and the remedy she proposes for it, is that Thomas shall charge an extra price, and John be forced to pay it, and so the thing go on quite snugly in the family. Think how the old man of the woods would break out, at such a proposal for letting the family capital fizzle away under his nose. 'What, when Thomas might as well have been going on upon land like his brother, and both of them

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\* No. XIX. for Oct. 1833, p. 70.



have bought jackets and warming-pans from the man on the other side of the pond ; shall I put John to expense and loss, for the sake of the other's inability to supply him out of a bad trade ? No ; let Thomas come back and settle himself on the land as I wanted him ; or else, as Canning sang in the old country,—

‘ I give him sixpence ? I'll see him damn'd first.’

Now this exactly represents the way in which things would have gone on with the Americans, if there had been any old man there wise enough to make them leave things to their natural course. As long as land was more profitable than manufacturing, men would have applied themselves in either the Northern or Southern States to land in preference, and have got their manufactures abroad. Just so fast as land got scarcer and dearer, or in other words began to block up, it would have become worth while for men that had money, to apply it to manufacturing certain articles instead. Those articles for which there were the greatest natural facilities in America ;—of which, for instance, the materials were near at hand, and which required no great skill or machinery ;—would first have been found able to compete with foreign-made ; and others in succession. There would have been always a fair game going on between land and manufactures. Just such a ‘quantity of American capital as could not be applied with more advantage to the one, would have been applied to the other ; and there would have been saved to the American family, all that has now been thrown away by the dog-headed-Indian policy, of making John pay for Thomas's inability to serve him cheap. There might possibly have been more people and capital in the Southern States than there are now, and fewer in the other ; but no American durst have proposed an Act of Congress to say, ‘Whereas it is desirable that people should be multiplied in the Northern States,—Ordered, that the Southern States do provide them maintenance in the same.’ And if this stupid state of things has already been given into to a certain extent, that forms no reason why Thomas should go on sinking the family capital for ever ; but only why some moderate latitude should be allowed him, for gradually transferring his capital to occupations where he can make a living without plundering it from his wholesome brother.

A friendly power that has arisen in the City, concludes that—

‘ In a country, then, which does not export raw produce, and which, consequently, can only obtain the produce of another country by the

intervention of its own manufactured goods, it is a matter of no import to the wealth of the country whether the landlords are addicted to foreign luxuries or not. And if this be true, it is a matter of indifference where the landlord performs the operation of consuming the said luxuries; whether he eats them, drinks them, or clothes himself with them in St. James's square, or the Fauxbourg St. Germain,—he can only get them in exchange for manufactured goods, which he gets from his countrymen in exchange for his rents. Absenteeism, therefore, in the case of a country which does not export raw produce does (in the aggregate) no harm.—*City Magazine. No. II. for Dec. 1833. p. 63.*

Now is not this overlooking the fact, that if both the raw produce and the manufactured goods have been honestly come by, there can be no more harm to the public from not sending one of them into the market, than the other? What force would there be in saying, 'There is that wicked man, going to carry away corn of his own, instead of sending it to market that people may eat it;—and not saying the same of the man who should be carrying away pocket-handkerchiefs, instead of sending them to market for people to blow their noses with? The oversight seems to be, that in both cases, if no charge can be brought of the goods having been dishonestly come by, the consequences of taking them out of the market are just as good for *some* of the home-stayers, as the consequences of their not been sent there can be bad for any of the others. The goods being not sent into the market, seems to be in some way or other looked upon as a privation of the same order, as not giving them away there for nothing.

At the same time there may be more in the suggestion, (which the *City Magazine* points out as Professor Senior's), than that it should be passed over thus. Raw produce, probably means raw produce the result of rent. If the Irish absentees were prevented from exporting their beef and pork and themselves along with it, there is no doubt of its making notable addition to the splendour of Dame-Street. But would not this be accompanied by a corresponding damage to the piggery and bullock interests, by having all this beef and pork thrown upon their market? The subject is dark, and far from being worked out. Only let the other side refrain from inferring, that they of necessity know everything about it; and above all things let nothing be heard of legislating upon the conclusion that the moon is made of new cheese, because nobody has yet arrived at the extreme of evidence that it is not.

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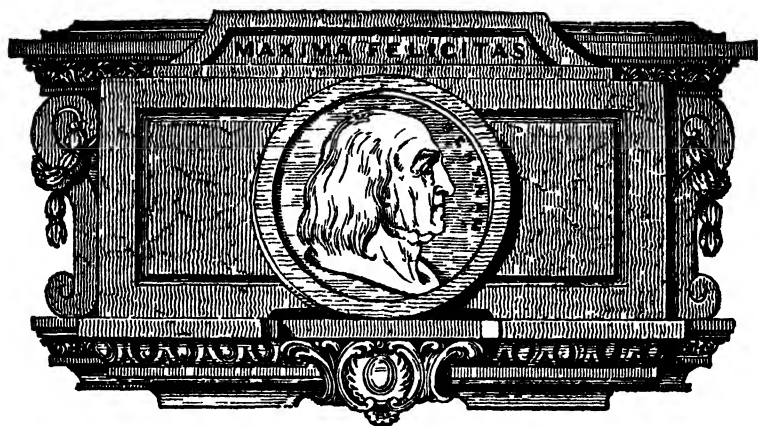
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THE  
WESTMINSTER REVIEW,

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FOR APRIL 1, 1834.

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- ART. I.—1. *The Edinburgh Review*, for Jan. 1834. Article ‘Changes required in the Corn Laws.’
2. *The Bread-Fruit Tree. A Tale of the Sandwich Isles.*—*Times Newspaper*, 9 Dec. 1833.
3. *The Pioneer; or, Trades’ Union Magazine.*—“The day of our redemption draweth nigh.”—Cousins, 18, Duke Street, Lincoln’s Inn Fields.
4. *The Penny Press. New Monthly Magazine*, for Feb. 1834.
5. *Progress of Social Disorganization. No. II. The Trades’ Unions.* *Blackwood’s Edinburgh Magazine*, for March 1834.

**L**ITTLE did the innocent *Republicans*, or whatever else may be the name their adversaries chuse to saddle on them, surmise that when they were doing their endeavour to persuade the fierce democracy there was no necessity for a ‘hurra’ upon

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mother Church on account of tithes as being paid for out of the bowels of the working-people, the Whig was preparing to stand up and say the public should pay for them after all, out of their materials for digestion. But the Whig will always be a Whig; and his ways will be past finding out, except by calculating that wherever men are gathered together to let an abuse down gently, there will he be in the midst of them. He was as nimble as a thief at a fire, in whipping twenty millions into the hands of his confederates the slave-holders; and was perfectly congratulatory in his assurances to the English people, that he had already taken the money out of their pockets to pay the interest. 'Dear Sir, do not be afraid for your pocket-handkerchief; it is gone already,'—would be an odd consolation in a crowd; but it bears considerable resemblance to what has been presented to the most paying people of England, by the Whig Chancellor of the Exchequer. A corresponding attempt has been made by the Whig organ, to introduce in the pillular form of a short paragraph, the basis for a similar manœuvre on the subject of the Corn Laws. It is a strong sign that an abuse is departing in the main, when the *juste milieu* come out to offer their valedictory bit of rottenness. But in the present instance they greatly diminish the value of the omen, by stopping short at the most effectual service that can be done to a defeated enemy,—contriving that he shall hold his ground like the Jebusite in the land, and calculating for him the scientific maximum at which the diminution of the visible outrage may bring his means of resistance into equilibrium with the public animosity.

'The total amount of the sums levied in England and Wales on account of the poor, and of other public rates, exclusive of tithes, may be taken at about *ten* millions a-year; of which above two millions are levied from houses, mills, &c., leaving not quite eight millions to be defrayed by the land. It is not possible to form any precise estimate of the value of tithes; but, taking them in England at three millions, we shall have a sum of eleven millions, which may be regarded as forming, for the most part, a peculiar burden on the land of England; to which about a million more may be added for Scotland. No estimate, having the smallest pretensions to accuracy, has been formed of the total annual value of the agricultural produce of the empire; but if such an estimate were formed, the countervailing duty on the importation of foreign corn, butter, cheese, beef, seeds, &c., should be an *ad valorem* one; bearing the same relation to the articles on which it is laid, that the twelve millions of extra charge laid on the agriculturists bears to the entire value of their products. But in a case of this sort, minute accuracy is not to be affected; and we should rather err

on the side of too much production than of too little. There does not seem to be any reason whatever for supposing that the agriculturists are fairly entitled to a countervailing duty of above 4s. or 4s. 6d. a-quarter on wheat, and other grain in proportion; but, to obviate all cavilling, and to take away all pretence for affirming that they had been harshly treated, we should not object to allowing them a duty of 6s. or 7s. a-quarter. The quantity of the different sorts of grain annually produced in Great Britain is not certainly less than 42,000,000 of quarters; and, taking the average duty at 5s., it would amount upon this quantity to no less than 10½ millions sterling; being nearly equal to all the peculiar taxes falling on the agriculturists,—even supposing (for which, however, there is not the shadow of a ground) that they fall exclusively on corn. But wherever the public have to deal with a particular class, it is always best to lean in its favour; and the advantages that would be derived from opening the ports at all times to importation at a fixed duty of 6s. or 7s. would be so very great, that an adjustment of the question on this footing would satisfy all reasonable persons.’—*Edinburgh Review*, No. 118 for January 1834. p. 275.

What playing into the hands of the enemy is this; and above all, what filthy political economy. It can only have proceeded from the school that said eight pounds tithe of an acre of carrots could not be taken from the rent, because there were only forty shillings left for the landlord afterwards. The public has been assured over and over, that tithes are at least as ancient as Melchizedek; and in England it is certain they have belonged to the true church since the Saxon heptarchy. Every man knows, as he knows that at a *restaurateur’s* the less he eats the less he has to pay for, that the farmer whose land pays tithes, pays less rent to the landlord; *ergo* the tithe is, and always was, a portion of the rent in possession of the church. The invitation of the Whig organ therefore to the not-knowing-what-to-do-with-their-money inhabitants of England, is that they should set about paying the landlords for that compact of their ancestors, by which for the salvation of their souls they agreed to give tithe of their produce to the church in the days of Ethelwulf. It is well they are not asked to pay the Jews, for what their forefather gave Melchizedek. The fairest thing in the world would be, that if the plan succeeds, the souls of the ancestors should be turned into purgatory by inversion of the bargain; and till it is ascertained they are, John Bull will be much departing from his proverbial tenacity of fair play, if he consents to the new arrangement. No man has a right to eat his cake and have his cake; and if the lords of the bloody hand chose to wash off the recollections of homicide and the *droit de seigneur* by a bonus to the priesthood, for the chance of pushing past St. Peter as virgins

pure and white,—it seems to form the weakest of all reasons why a Manchester operative of the present day should pay the expense by a tax on his children's bread. Either the feudal ancestors had a right to alienate to the priesthood, or they had not. If they had, why talk of taking it from the people now? If they had not, take it from the priests who have it, not from the people who never had it. This is sound popular justice; and all the whiggery in the world will never make it otherwise. If the people of England have a grain of sense or spirit, the Whigs will have moved a hornet's nest by this attempt to saddle them with compensation to the landlords for the tithes their ancestors gave away. But the tithes are not all; there are the poor-rates too. The people of England are to pay for having been made paupers of; and the measure of their payment, is to be the extent to which this consummation has been effected. In this plot too, the Whig is a party. There have been things of evil odour, from the Roman's tax on chamber-lye downwards; but nothing so totally the antipodes of perfumery as this. It is what a gas-pipe might have been to an Emperor, who instead of a new luxury had advertised for a new ill smell.

And then the mode, the fashion, the artist-like selection of the way in which the tribute of gratitude shall be paid, supposing the people to agree to take no exception to the claim. That the people shall pay the charge of the agriculturist by means of a tax upon their bread,—how ingenious, how profound, how statesmanlike. What pretty words are 'countervailing duty;' and how sweetly must vibrate on an agricultural ear, the *douce humanité* which will not object to pay 'six or seven shillings' for 'four-and-sixpence' worth of tyranny. Love your enemies, said the scripture; but it never said, pay them at this rate for starving you to death. The ancient beauty in the blue and yellow however, opines in the milk-and-wateriness of her benevolence, that 'an adjustment of the question on this footing would satisfy all reasonable persons.'

But view the thing in another light. The landlords have been their own 'law-givers.' They have kept everybody from being on the jury with them, that did not swear to an interest in the question in debate. And yet they say they have so arranged matters, that they have laid the public burthens desperately hard upon themselves, and must needs have the Corn Laws to do themselves common justice.

It certainly is not an ordinary thing, for men who like Sancho flog themselves, to lay on too hard; and there is something fearfully suspicious in a claim for having done it. Suppose the brewers in a parish were found to have contrived

to enact, that no man should be of the vestry who did not swear to an interest in breweries and malt-kilns. And fancy they were found asserting, that in the exercise of their self-appointed office, they had found it imperative to lay the rates particularly hard on brewers; as a consequence of which they saw an insuperable necessity, for laying twopence on every pot of beer consumed within the parish, and drawing a cordon about the boundaries to keep out other drink. Is there a population in any parish in the kingdom, that would be the dupes of such a barefaced iniquity,—or a breed of brewers that durst face the chances of such a plot? And why is the universal British people to be more stupid than the fragment; or the experiment any safer for the large mass of dishonesty than for the small?

Suppose again the brewers had enacted, that there should be a tax on every man's widow and children, *except a brewer's*; and had given as a reason, that if every time the rent of a brewhouse was transmitted in consequence of death a tax was taken on it, the sum would in the course of time amount to the whole saleable value of the brewhouse. See what manifest fraud, worthy of the hulks, would be contained in such a representation on the part of a brewing interest. In the first place, is not whatever may be true of the brewhouse, equally true of what is not a brewhouse; as for instance of property in the funds? If the saleable value of the brewhouse is 1,000*l.*, and the yearly rent 30*l.*; and some other man bequeaths property in the funds, of the value of 1,000*l.*, and of which the yearly dividend is 30*l.*; is not the effect of a legacy duty upon the one, exactly the same as upon the other? But further, is not the representation that a legacy duty on the brewhouse would end in eating up the value altogether, a total and absolute falsehood, put forward as an artificial fly is to trouts, with a cool-blooded intention to take in such as may not see into the fraud? If a funded property worth 1,000*l.*, should descend, for instance, every ten years, and 5 per cent be levied every time,—it is true that if the legatee insisted on always spending the full interest of what was left, the property after fourteen descents would be reduced one half, and would afterwards go on dwindling, though no period can be assigned at which it would become absolutely nothing. But then this is exactly what the legatee would *not* do. On the contrary, he would,—according to the rule of prudence impressed on every portion of the public which has not a monopoly of law-making like the landlords,—distribute the amount of the tax over different periods of his expenditure, in such a manner as on the

whole to make it equivalent to something like a tax of a half per cent upon his yearly income. And ought not the legatee of a brewhouse to do the same ;—unless he means to set up a claim not to pay taxes like other men ? *Here is the mystery.* The owners of land have made up their minds, not to allow their incomes to be diminished by taxation ; in other words to pay no taxes, or none that they do not recover from other people. Men do not get a monopoly of the House of Commons for nothing ; and as well they have made use of it. They state boldly and openly, ‘ We do not mean to pay taxes ; because we cannot pay taxes and spend the same incomes as before. We allow nobody to come into the House of Commons but ourselves ; and we *will not* pay taxes. An industrious man can pay taxes and keep up his expenditure too, by exerting more industry. But *we* are not industrious, and never mean to be ; and therefore shall not diminish our expenditure. Let the industrious pay ; *we* were born to do without it.’

This is the real language held by the land-owners ; and a terrible instance it is, of the insolence to which permitted injustice has always a tendency to grow. It almost ceases in fact to be matter of personal responsibility, and takes to a considerable extent the form of mental delusion ;—a reason why the straight waistcoat applied by the public should be as gentle as possible, but not why it should be wanting in practical efficiency. The slave-owner, sees all the laws of logic violated, in the insinuation that his title may be unjust ; and scarcely less is the astonishment of the inheritor of aced ignorance, when he finds a revolution advancing with slow but steady steps, to send him to the limbo to which all tyrannies go in time. The first thing he thinks of, is his cavalry horse. But there are other men can ride cavalry horses. He will find himself woefully mistaken, if he calculates on military glory, in defence of laws that take fourpence a day from the poor soldier’s pay, and a third of a bottle from the ensign’s mess. He had better make an honest composition while he can ;—his household will scream most horribly, if he puts it off an hour too long, and finds the hard-handed operatives that live by bread, insinuating themselves some morning in column of companies into his sanctuaries of the graces. Those very men have seen their wives and children perish with artificial hunger. It is hard to keep down the devil that lurks in such recollections ; and a prudent man will not wait for it if he can help it. Can he give any good reason, why those wives and children should have been destroyed to keep *him* coach-horses ? Let him not trust to his clod-hoppers. Will *they* fight hard for the poor-house, and the

privilege of 'coming not at their wives'? Do not they singe him a little now and then, as it is ; and is it not as much as he can do, to keep them under? All injustice, by God's good pleasure, is a bad bargain ; and awful will be the condition of the squirearchy, if they come to a contest with a population in precisely that state, where hunger has sharpened the courage without enfeebling the sinews.

Every man who chuses to run in the teeth of common justice and make himself the enemy of the multitudinous classes, must make up his mind to take the chance not only of what they may do right, but of what they may do wrong. There is no use in banditti being pathetic on the way in which they are sometimes treated when overpowered by the country-side, and getting up a tragedy upon the sufferings of felons tied on their backs in carts, and considerably over-twitched about the wrists by the premature application of a halter. A humane *brigadier* will hinder it when he can ; but he will not see in the possibility that he may not always be able to hinder it, the smallest reason why the country should be given up to the heroes with high crowns and cross-garters. It is by no means certain that the oppressed classes in England *will* be moderate, if the concession of justice be put off till the hour when it can no longer be withheld. But their friends and leaders are not therefore the frank asses that should exhort them to sit down in sufferance for fear their enemies should be hurt. Let all sides take care of themselves ; *our* business is to put you down, at all events till you show something like a flag of truce. That the operatives are at present not going right ;—that they are going the way which threatens more evil than is necessary to their enemies, without accomplishing the good they desire to themselves ;—may be what any man has a right to hold, who is enough of an engineer to know that to try to scramble over the walls is not always the nearest way to take the town. But because the Lord's host is going wrong, is not a reason why a man should abandon the Lord's host ; still less why it should be agreed and settled, that the good cause is a thing to be delivered up into the hands of its enemies. If any moss-trooping old woman calculates upon the better sort of the people's well-wishers being frightened out of their propriety, by the danger there may be of her having 'light to set her hood' if her kin and clan should carry on the war an hour too long against the interests of the community,—she reckons without her host. They would not willingly harm her beldameship ; and they have a great commiseration for old-womanhood in general. But the argument is not broad and long enough, to cover the sufferings of the

community. For one distressed antiquity on the opponent's side, there are fifty of all ages suffering on ours. If the thick-witted burghers run their heads needlessly into the fire, depend upon it it was not we that told them. If they come to a disposition to have more of 'the disciplines of the wars,' depend upon it they shall have the best advice that we can give them. You will make nothing by trying to talk off the natural leaders of the people in its wits. They will lie by, from this time till the people has exhausted the last grain of unwisdom in its composition; and then they will come forward as if nothing had ever happened, and just show what might as well have been done at first. Is it to be believed that they are going to quarrel with poor men who have been busy providing for their daily bread, because they have not come suddenly to the same conclusions as others who were born to the power of scouring the country on horseback, and looking out through one of Dollond's best on the manœuvres of the enemy? Let it be understood then 'and no mistake.' If the people under the just sense of injury and according to their own conceptions of the strategy to be adopted to get rid of it, go wrong and the end is much needless misery both to them and to their enemies,—those who would have rejoiced to lead them artist-like upon the proper points, and mean to do it yet, are not responsible; but they chuse the moment, to protest against and abnegate the sneaking policy of being supposed for an instant to admit, that the possibility of the people's going wrong in their efforts to escape injustice, is a reason why the injustice should be not shown or not resisted. On the heads of the robbers be it; it is not impossible that within twelve months the people will be inside their preserves, and making much needless havock among unhatched wild-fowl. But let it be remembered, that it was simply because the most laborious, quiet, and enduring people upon earth, were plundered in their meal-chest and their bread-basket;—that it was not till the quartern loaf had circulated with the impression

4¾d. for Flour and Baking. }

3¾d. for the Landlords. }

nor till the misery that penetrated all districts of the country, had gone far beyond what the average of history would indicate as the boiling point, where further accumulation attempts to throw itself off by Revolution.

In this state of things, what did the Whig ministry? Acting as the mouth-piece of the sovereign, what was the oil and wine they poured into the wounds of him who had fallen among thieves? The operatives in the manufacturing districts were reported dying on twopence-halfpenny a-day. Of course for

them, was commiseration inserted into the royal mouth. It might have been so in Utopia; but in Westminster it was a very different thing. The monarchical travail of soul, was for the 'proprietors and occupiers of land,'—the men of four thousand and of four hundred a-year, who want to make it five by driving the operatives from twopence-halfpenny to twopence.—

“How little,” said they, “the thoughtless poor  
Can know what the suffering rich endure,  
In bringing up dozens of small Grandees,—  
In paying off horrible mortgagees,—  
To say nothing of assignees, lesscees,  
And an endless quantity more of these  
Uneasy things that end in ees.”

Official individuals do not often do the thing that is insane; knots of men do not frequently agree on what is inordinately unwise; there is generally a nearer reason to be found. It might not be altogether commendable;—it was not perhaps what can be strictly termed loyal, nor what a man of the people would put into the mouth of anything he agreed to acknowledge as the depository of the public power;—but it is infinitely more consistent with the ordinary course of human action, to suppose the direction given to the Royal Speech was meant for a bitter taunt, a burning spur upon the supineness of the nation that could leave their government to plead the lack of decision in the public will, than that it was designed to be a dinner-table platitude, a corporation blunder, a quarter-sessions apophthegm, a parody upon a charge to a grand jury from an economist in ermine. It was a satire, an irony, the ministers are men of genius, they speak in parables; let no man be stupid enough to take the exoteric meaning of their words, but search for the inward sense that shall teach him to save his soul alive.

There is not the slightest doubt of what the operatives meditate; nor of the reality of the peril which the half-witted knavery of the landed interest has induced from that quarter. The Conservative old women may shudder; they have done the deed, and planted the resolution to change the whole existing order of property, in the heart belonging to every pair of laborious arms within the country; and now they may go out like Mrs. Bond and cry

‘Dilly, dilly, dill! come here and be kill’d’

and see how many of the operatives will hearken to them. It is intelligible enough; they have driven them back upon *first principles* with a vengeance. Did they think the poor would always struggle with them like maids for forfeits? Look



at the well-born idiots; rejoice at the cleft stick they have put themselves into; let hell from beneath go out to meet them, and say 'Are ye too come to your end like the rest of us.' The poor are up, are they? they are tired of greasing your coach-wheels with the marrow of their children's bones? they have had enough of working sixteen hours that you might drive four horses instead of two? Help yourselves, baffled blockheads; brew as you have baked; sit down in fearful waiting for the judgment that shall come upon you, or open the campaign against the people and so make surety surer. Make up your minds to this; or else throw yourselves with the gracefulness of Old Bailey penitence, upon the mercies of a government which retains a chance of quieting the storm, by having still some hold upon the confidence of the people when they see it walking in the way of justice. But try no tricks; if you are merciful. The people will no more bear a little Corn Laws, than they will bear a little Slave Trade. The public man that should try it, would only be walked over by the eagerness of the community. Like the Jewish lord, he would be trodden to death in the crowd that came for corn; and the only result to the party he meant to serve, would be the fierce call for retribution and example, which is now waived as part of the offer for an early capitulation. The public is past being deluded by being told it must make one wrong 'countervail' another wrong; and the man that attempts it, will go down with burnt fingers to his fathers. In twelve months more, the people will be in full march, upon the right object and not upon the wrong. Let not the adversary think the worse of his opponent, for acknowledging that the forces are at this moment a little scattered, and may take that time to get them into *keller*.

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ART. II.—*The History of Modern Greece.* By James Emerson, Esq.—2 vols. Colburn and Bentley. London. 1830.

NO subject is better fitted to awaken a train of interesting reflection than the Greek Revolution. It was an epoch in the history of man. Statesmen and moralists had laid it down as an axiom, that a nation enslaved by a barbarian power, and sunk for centuries under the yoke, could not unaided and alone achieve its own deliverance. It was reserved for Greece which had once been the light and ornament of the earth, to emerge from her long lethargy of barbarism, to confound the deductions of the moralist, and shed a new glory on human nature. Although at the close of the conflict now so happily consummated,

the Greeks were indebted to France and England, during seven long years they resisted with unshaken spirit the whole force of the Ottoman empire, and even when reduced to the last extremity there was scarcely exhibited an instance of treachery, or a thought of submission. When the Arab cavalry swept the open country uncontrolled, and Napoli alone remained in possession of the government, the whole population betook themselves to the caves and mountains, every pass and defile of which was disputed with a desperate valour. Their minds had reached that point where fear ceases to operate, the whole nation appearing actuated by a stern resolve to husband their remaining energies, and calmly await independence or extinction. The intervention of the Allied Powers preserved them from extermination, but detracted not a jot from their unconquered mind.

Scarce twenty years have passed away, since Chateaubriand and Byron and those who seemed to know them best, railed at the 'hereditary bondsmen,' and predicted that the sacred foot of liberty would never relight upon their shores. How proudly gratifying to witness in so short a space the descendants of that people who two thousand years before had repelled with a marvellous heroism the tide of Asiatic conquest, burst asunder the fetters of their bondage, and emulate the fame of their sires.

No apology needs therefore be offered, for directing attention to the present condition and prospects of Greece; for where is there a subject on which so much legitimate ardour might be displayed, or a country encircled by such ennobling associations. Every liberal man regards it as his parent soil, as almost the creator of the modern mind. To it we are indebted for the polite and liberal arts, and for the proudest example of all that is grand in intellect, or exalted in patriotism.

Despite the astonishment attending the triumph of the struggle, it is not infrequent with a certain class of writers, while lauding the merits of the Poles, to denounce the Greeks in the same breath as utterly unworthy of sympathy. This is inflicting a gross injustice on the latter. The gallantry of the Poles is unparalleled in the annals of modern times, but the advantages they enjoyed over the Greeks are abundantly obvious. Their nation was subjected to the rod of the tyrant only at the close of the last century, the memory of their fathers' fame had never been permitted to fade, their high soldiership was yet fresh from the battalions of Napoleon, and not an ear had ceased to tingle with delight at the heroic deeds of Dombrowski and his legions. Their conduct has accordingly been such as to elevate immeasurably the dignity of man, and to prove they are still worthy of the great men of their land, of Zolkewski and Sobieski,

of Pulawski and Kosciusko. How different with the unfortunate Greeks. Crushed under an iron despotism such as the world never beheld ; where humanity was an exile and knowledge proscribed ; where perhaps for an age or two, the bosoms of a handful of brave men might have furnished a sanctuary for independent thought, but which most probably must have broken down before the thralldom of the first four centuries ; and where such had been the success of their tyrants in reducing them to a state of primæval barbarism, that until the times of Rhiga and Korai at the close of last century, the great mass of the people knew as little of the fame of Marathon and Salamis, as the wild goats on their mountains. That baseness and servility, and all the coward-crimes which the slimy waters of slavery engender, should occasionally have characterised the modern Greek, is not only true, but had it been otherwise, it would not have accorded with human nature. As certainly as like causes produce like effects, are virtue and magnanimity the fruits of the soil of liberty, and vice and servility the offspring of slavery. The condition of the Greeks, then, was no argument against the interposition of the civilized world ; but on the contrary a reason for striving to uplift them from their abyss of prostration. That they bore the form of man was enough to awaken the sympathies of the philanthropist ; and, in this case at least, those generous feelings have been justified by the issue.

Before proceeding to estimate the present condition of Greece, it is necessary to glance at the causes of her Revolution in order to collect whether the influence they are likely to exercise will be of a permanent or an ephemeral nature.

The evils of slavery were never exhibited in more appalling features than in Greece. With their conquerors the Greeks had no points of resemblance ; hence no lapse of time could lead them to approximate. The Turks, imbued with a fierce and immutable fanaticism, entertaining an implacable hostility to every other race, and regarding knowledge as a crime, so far from lightening the yoke of their vassals strove rather to render their sufferings more pungent and severe. The Greeks on the other hand, even in their deepest degradation never altogether lost the elastic temperament, the quickness of intellect, and the high capacity for civilization which distinguished their forefathers. How galling to such a people must their condition have been, when, as if the monuments of the past were insufficient to remind them of their fallen state, they durst not wear the same dress or carry the same arms as their oppressors. If they were seen even in the erect attitude of a man, they were subject to insult. Their persons and property were unprotected by law, and

their hearths ever liable to violation. The Turk in his savage pride mocked their misery and laughed at their resentment. Though during the last thirty years their thralldom had been greatly mitigated, so strong was the under-current of quenchless indignation, that the partial relaxation only exhibited their helotage in bolder relief, enabled them to organize, and steeled their hearts for the coming struggle. During that period, revolt became a household word, and the crisis a mere problem of time.

But, in the darkest hour of their barbarism, there were random rays of hope. At a period when Greece itself lay utterly prostrate, the Greek families of the Fanar enjoyed the highest consideration of the sultans, arising from an impression of their having aided in the capture of Constantinople. Their superior intelligence having secured them high appointments, they forgot not their father-land, but clung with a feverish hope to the chances of its resurrection. The most active were the Hospodariat families of Morousi, Soutzo, and Mavrocordato, who nearly two centuries ago established elementary schools in Upper Macedon and the Hospodariats, for the culture of the Romaic. Under their auspices a taste for letters was kept alive, and light partially extended.

Besides, in a land teeming with such recollections, there must always have been some, alive to the influence of its associations, and quickened with that inspiration which suffering cannot quell, but which derives its aliment from the perils that encompass it. With what feelings must such men have trod the banks of the Ilyssus and the Eurotas. Accordingly, since the age of Scanderbeg, detached bands of the mountaineers of Suli, Agrapha, and Pindus, have waged incessant war with the Ottoman, and kept alive that sacred fire of freedom which first burst from the rocks of the Achelous until it flamed from the mountains of Bosnia to the valleys of Crete.

The Greek revolution was not the result of political agitation, like those of Naples and Piedmont. It sprang from the enlarged intelligence of the people. The partial amelioration already alluded to, arising chiefly from the influence of the Fanariot nobles, encouraged the more enterprising of the Greeks to embark in commercial adventure; and their efforts having proved successful, so strong and universal was the thirst for knowledge inspired among the islanders and trading classes, that in a very few years the universities of Italy, Germany, and France were thronged with Greek students. Multitudes too found their way into the southern provinces of Russia; and

as the policy of that government was then what it is still, the aggrandizement of territory, the empress Catherine and her son Paul took the young Greeks under their protection, and in the hope of securing their aid against Turkey, promoted their education and preferred them to confidential appointments in the state. The convulsions in Europe at this period withdrew public attention from the progress of Greece, but the works of Korai, Philippides, and Constandas bear testimony to the prodigious march the Greeks had made in science and literature. The sudden light shed on a portion of the nation, stimulated numbers of its ablest sons to dedicate themselves to the education of their countrymen; and under the guidance of *Æconomos*, *Vamvas*, and *Benjamin*, the colleges of *Scio*, *Smyrna*, and *Haivali* arose as if by magic, and schools were planted everywhere in the islands and in continental Greece. Simultaneous with this impulse was the longing for freedom. *Rhiga* the founder of the *Hetæria*, and the accomplished *Korai*, devoted their entire energies to the spreading of the principle.

*Rhiga*, a native of *Thessaly*, was professor of Greek at the university of *Bucharest*. His literary attainments were considerable, but these were not his passport to the affections of his countrymen. His master passion was the love of liberty. From his boyhood his heart had withered under the consciousness of his country's debasement, and from that period every effort of his ardent and powerful mind had been bent to achieve its restoration. His lyric ballads styled *Hetæria*, from which the celebrated 'Sacred Band' took its name, having been universally circulated, produced an electric effect, and led such of the Greeks as had not yet despaired of their country to look to him for support. In the empassioned hope of serving them, he relinquished his professional labours at *Bucharest*, and repaired to *Vienna*, where he strove to break the slumber of their lethargy, and to organize schemes for successful resistance. After many years spent in endeavouring to rouse them,

'To trample the turban and show themselves worth  
Being sprung from, and named for the godlike of earth,'

his plans were discovered by the Ottoman ambassador, to whom he was delivered up by Austria, and was beheaded at *Belgrade*. But to such a man the headsman's axe is but the transit to a holier fame; his name has been a spell of power, and his blood more fruitful than the dragon's teeth.

*Korai*, by birth a *Smyrniot*, went to *Holland* about 1774, and engaged in commercial pursuits. Congenial in spirit to *Rhiga*, he soon felt the call of his country; he renounced his profession

and settled in France, determined to dedicate his talents to the interests of Greece. He drew encouragement from the aspect of the times. The triumphant establishment of American independence, which seemed to sanctify rebellion on the part of the oppressed, and the scattered but ever recurring indications of discontent among the galled millions of Europe, led him to infer that his labours would not be unavailing. He accordingly ran a race of rivalry with Rhiga, both in diffusing original writings, and in translating such of the ancient classics into Romaic as were best adapted for the crisis. His 'Essay on the State of Civilization in Greece' had the merit of first opening the eyes of Europe to its progress in intellectual and political knowledge. Having foreseen that the hour was nigh, when the call to arms issuing from the bosom of the schools of Greece would be responded to from every hill and every shore, his biographer states, that 'in spite of his great age this venerable patriot wrote night and day for his country, urged the multiplication of new colleges, and directed the formation of them in the manner best suited to extend their light and influence.'

He is now in his 80th year living at Vienna, enjoying in tranquil delight, both that infallible reward the approbation of his own noble spirit, and the proud satisfaction of beholding his efforts crowned with success. What Niemcewicz and Adam Czartoryski were to Poland, Rhiga and Korai have been to Greece.

Another main cause of improvement was the utility of the Greeks in the Turkish fleet. Their genius for naval affairs had been early perceived by the ministers of the Turkish marine. The fleet in former times had been chiefly supplied by the feudatories of Algiers, Tunis, and Tripoli, but these states having latterly escaped from their vassalage, the isles of the *Ægean* and the *Cyclades* became the chief naval nurseries; and although the value and services of the Greek seamen were deeply felt by the Sultans, it was long before a field was opened for the display of their skill and enterprise. The obnoxious restrictions to which all rayahs were subjected were still in full vigour. But at length *Selim III* the gentlest and most enlightened of the sultans, grateful for their services, and urged by the entreaties of his *Tarjeman*, *Demetrius Morousi*, abolished the system of *Beraths*, or privilege to trade, sold to the rayahs at exorbitant rates, and substituted an annual tribute. From that hour the barren rocks of *Hydra*, *Spezzia*, and *Ipsara*, the abode of a few fishermen, having no shipping but a few caiques and small coasting vessels, rose into surprising importance.

In a very short period every part from Gibraltar to the sea of Azof was familiar with their merchantmen, until the carrying trade of the Mediterranean and the Black Sea became their exclusive monopoly. At the outbreak of the revolution in 1820, their fleet actually amounted to 600 sail, giving employment to 20,000 seamen. While the unprecedented success of the islanders rendered them wealthy and powerful, their example drew fresh adventurers to the seaports, who, by promoting the trade of the interior, stimulated the nation to exertion and improvement. Feelings of independence were thus generated among the mercantile classes, as well as the irresistible conviction, that they composed, as it were, a separate section of the empire unfettered by its restrictions, and rapidly escaping from its barbarism.

The events by land too, kept pace with the advance of the maritime portion of the nation. The seeds of liberty planted by Rhiga, Korai, and Morousi, and the brothers Zozima of Leghorn (whose munificence in promoting education has procured them the title of the Medici of Greece) struck root far and wide, and under their sheltering influence the old emasculating prestige of oppression began to disappear. The agents or emissaries diffused through every district were mostly members of the Hetæria, who embarked in their scheme of propagandism with a zeal and enthusiasm worthy of the cause; so that each became, as it were, a separate lens through which every great and kindling thought, every manly aspiration, every glimpse of encouragement was speedily circulated. The constant strife likewise of Ali Pacha with the Bosniacs, the Sultan, or the neighbouring Pachas, kept the Klephts and Armatoli of Acarnania and Ætolia always under arms; and whether in his ranks or in those of his opponents, a military pride and a sense of self-reliance were engendered, which shook the shackles of slavery from their souls long ere the knell of tyranny was rung. But while the turmoils and disorders excited by Ali thus nursed a martial spirit, the Klephtic bands were enabled ever and anon to measure their swords with the Ottoman, by which their nerves were braced for the struggle for independence; and so signally heroic were the exploits of Tzavellas, Nito Tzaras, and Blachavas, that 'by the sword of Tzavellas' became a war-cry of the Greeks in after times.

About this time too, France and Russia, in their struggle for ascendancy in the east of Europe, were secretly tampering with the Turkish provinces, and the French having then possession of the Ionian islands, great facilities were afforded for that purpose. It is well known that Bernadotte, then minister with the

Porte; and General Rosa who commanded in Corfu, encouraged the diffusion of inflammatory pamphlets, and held out hopes of support from France. Russian agents were equally active among the islands and sea-ports, and in the usual detestable spirit of the Russian cabinet, roused expectations it never intended to realize. Its object has always been to embroil, and in the convulsion seize the lion's share.

The grand moving force of the Revolution however, was in the Hetæria or Secret Association. Its general object was the recovery of Grecian liberty; a crusade against ignorance and superstition, domestic suffering and barbarian thralldom. The sudden removal of Rhiga, its founder, before it was thoroughly organized, and while its members were few and far apart, long retarded its growth, and crippled its efficiency. But it arose again in vigour about the year 1816. The Greek soldiers then discharged from the English and Russian armies, returning to their homes imbued with impressions of the greater comfort and liberty they had witnessed in other lands, could not contrast the condition of their country without a saddened heart; and the general peace having annulled the trading monopoly enjoyed by the mercantile classes, forced many into modes of subsistence uncongenial to their habits, and prepared them to welcome any change. Besides, the prevailing expectation throughout Europe that freer institutions were to spring from the fall of Napoleon, spurred the Hetæria to extraordinary exertion in order to fit Greece for a simultaneous progression; and so rapid was the increase of its members, that when Ipsilanti appeared in Moldavia, its branches extended from Crete to the Danube, and from Vienna to Taganroc. The whole of the Greek students at the foreign universities, the Capitani of every tribe, the leading agriculturists, and the merchants of the islands, were all enrolled in the confederacy. And if the character of the Hetæria is to be inferred from the conduct of the 500 who fell almost to a man on the field of Drageschan, a loftier courage or a keener fervour of devotedness Sparta herself never displayed.

Amid such a multitude of concurrent causes, who can wonder at the Greek Revolution? The fermentation thus created became so universal, that in a year or two not a hamlet existed in Greece where a burning sense of wrongs, a yearning for freedom, and a resolve to peril all for its attainment, did not actuate its inmates. The partial rising in 1819 of Ipsilanti and his followers in Moldavia, was merely a prelude to the general insurrection. In it, Greece Proper had little or no participation. It was crushed in the hour of its birth, and served only to superadd to the other causes of discontent a deeper



thirst for revenge. But the national mind had now risen parallel to the sublimity of the conflict; it paused but for a proximate cause, and that in the opinion of many appeared prematurely. Ali Pacha, whose atrocities had at length called forth the vengeance of the Sultan, was denounced a traitor in 1820, and a powerful armament was sent to reduce him. In his extremity, he now courted the assistance of his old enemies, the Klephtic bands of Western Greece, who eagerly enlisted under his banners in the sanguine hope of accelerating their national cause. With the view of neutralizing this expedient of Ali, the Divan commanded Suleyman, the Pacha of Larissa, to arm the whole Greek population against the common foe. A proclamation was accordingly prepared; but as it required to be published in Romaic, of which language Suleyman was ignorant, his secretary, a member of the *Hetæria*, so expressed it as to render it in effect an excitement to rebellion. The ruse was discovered, Suleyman was beheaded, but the deed was irrevocable; the torch of rebellion was applied at Patras,—the charged mine exploded, the shock was electric, and Greece arose as one man.

Naples and Piedmont attempted at the same time to throw off their fetters, but the stamina of Piedmontese and Neapolitan courage gave way at the first sound of the tramp of Metternich's Hungarian grenadiers; while the Greek Revolution, distinguished as it was from theirs in principle, was as much so in its issue. The raw and scanty levies of Greece encountered the columns of the Ottoman with a steadiness and resolution worthy of veteran soldiers; and although amid the fitful alternations of the contest the Greeks sustained many reverses, its features are irradiated by so many traits of exalted heroism and self-sacrifice, that the future historian when recounting the great triumphs of virtue, will place it on the roll with those of the Scots over Edward Plantagenet, and the Swiss over Albert of Austria.

The preceding investigation would seem satisfactorily to establish the position, that the Revolution was not the result of a transient impulse, but the irresistible effect of permanent and potential moral causes. Any narrative of the events of the Revolution would be foreign to the object of the present inquiry; suffice it to observe, that after a struggle nearly rivalling in duration and in splendour of achievement that of their forefathers against Troy, the active interposition of England, France, and Russia, having led to the battle of Navarino and the expulsion of the Egyptian troops, these powers recognized the independence of Greece.

The question then for Greece and her allies was, whether a president, regent, or king, should be intrusted with the destinies of the new state. This depended on a variety of circumstances. As might have been expected, she presented a spectacle of depression almost without a parallel. The coffers of the treasury were empty, the liberal islanders who had hitherto been the bankers of Greece had advanced their last piastre, the suspension of trade, the neglect of agriculture, and the savage rapacity of the Arabs and Egyptians of Ibrahim, had shorn the peasantry to the quick,—and to add to the evil, the nation was split into a thousand factions. The most influential were those of the Constitutional party, and the Capitani. The Constitutionals comprised all the cultivated men and the chiefs of the islands; at the head of whom were Mavrocordato, Demetrius Ipsilanti, Tricoupi the present President of the Council, John Coletti, the Conduriottis of Hydra, and Tombazi of Spezzia. The Capitani were rude soldiers of fortune, each leading his own guerilla band, and, like Ishmaelites, in constant hostility to one another. Their followers were the least enlightened of the people; the slave having burst his fetters would own no law, and had now grown worse than a slave by lawless liberty. They were as brave as Cromwell's saints, with less hypocrisy; and as daring as Robespierre's ruffians, though not dealing so wholesale in slaughter. Their violence and brutality towards the peasantry, even after the establishment of independence, is the darkest stain on the annals of the Revolution. Nothing but the powerful alchemy of the sword seemed able to amalgamate into one the discordant interests of all. But where were the elements of organization to be found. The best and bravest of the Greeks had fallen in the struggle. The 500 students of the Hetaïria, the pride and expectancy of the nation, were all either slain on the plains of Drageschan, or had perished in Austrian dungeons. Marcos Botzari, the 'Hampton of Greece,' had fallen like him in a glorious field in autumn 1823. The flower of the Suliotes were no more; George Tzavellas, Draco, Fotomara, and Karaiskaki, the chosen companions of Botzari, were all killed before Athens in April 1827. Alexander Ipsilanti, the chief of the Hetaïria, and one of Greece's purest patriots, had about the same time, when ruined in health and blasted in hope, escaped from the fangs of Austria, but to die. Among the remaining leaders, there was none of master-mind, none that could unite the suffrages of the nation. Pietro Mavromichaelis, the Bey of Maina, was the most powerful, but his devotion to the popular cause had always been suspected. He is the sole survivor of the most celebrated family of warriors

that modern Greece has produced. Inhabiting a region impregnable from its fastnesses, and by natural situation almost independent of Greece, in acknowledging the government of Napoli he resigned a power, which in his own province had been absolute and hereditary; and he found himself a vassal, while he was called on to furnish and pay troops without hopes of remuneration. The Sultan, too, before the Revolution, had conferred on him alone of all the Greek chiefs, the title of Bey, and had offered higher honours and increased dominion. His countrymen, on the other hand, had made him large promises, and their subsequent inability to fulfil them had created dissatisfaction. Besides these grounds of objection, he was neither conspicuous for ability nor attainments, and was therefore not the man to select as the head of the state. It may be here remarked, that he was the father and brother of the assassins of Capodistrias in October 1831. The claims of Prince Mavrocordato were favoured by many. He is a man of considerable talent, had been schooled in diplomacy in the Russian Court, and embarked in the Revolution at the very outset. To his skill, the successful resistance of the Greeks at the first siege of Missolonghi is chiefly ascribed, but the purity of his motives has also been questioned. He is subtle as a Greek, and crafty as a Jew, but not profound; his policy, as hitherto manifested, is too narrow to raise him to permanent distinction. His Fanariot extraction, and never having possessed a foot of land in Greece, have operated greatly to diminish his influence. Theodore Colocotroni, next to Mavromichaelis, is the most powerful of the Capitani; but his avarice is boundless, and has disgusted all parties. To him however, and his nephew Niketas, the Greeks were indebted for their most signal triumph over the Osmanli arms. In July 1822, Dramali Pacha invaded the Morea at the head of 30,000 men, but having been entrapped by these chiefs in the plain of Argos, since called the 'Chamber of Death,' in attempting to force their way through the defiles of Treté so dreadful was the slaughter that a scanty remnant only escaped. As a statesman, Colocotroni is a cipher, and is universally distrusted.

John Coletti, once physician to Moktar eldest son of Ali Pacha, and afterwards Minister at War for Greece, is one of the most accomplished and able of her leaders. His influence has always been great in Northern Greece, and among the Suliotes; but the jealousies between them and the Moreotes have deprived him of that power which his talents and merits deserve. There were some others who might have challenged the support of the people, but Count John Capodistrias having

a year before the recognition of independence been appointed provisional President by the Congress of Trœzene, his nomination was confirmed by the Allied Powers, and acquiesced in by the majority of the Greeks. In point of ability and administrative capacity, Capodistrias was doubtless the fittest for the office. He had entered in youth the service of Russia, at the period when she occupied the Ionian Islands (of one of which he is a native), and had become by his talents a member of the Russian ministry. Even at the dawn of the Revolution, the Hætaria regarded him as the most eligible among their countrymen to assume the reins of government; but two circumstances tended greatly to cool the ardour of the nation towards him. He had most strenuously opposed the general rising until the national mind should have been emancipated from ignorance, and had thrown every discouragement in his power in the way of the first efforts of the patriots. Besides, his Russian education was likely to excite a predilection for that power; which created among many an unfavourable impression. In January 1828, he assumed the direction of affairs, and found the nation, as already observed, rent to pieces by faction. The difficult part he had to act demanded the exercise of all his talents, and it is undeniable that at first he made the most of his resources and displayed much political sagacity. He had not only to control the turbulent Capitani and soothe the jarring factions without troops or pecuniary means, but to maintain a friendly understanding with the Allied Powers, who were all inculcating lines of policy adapted to their various interests, and threatening to withdraw their support in the event of non-compliance. He applied himself with energy to uproot faction, to establish order, to institute national schools, to organize a regular military force, and adopt measures for the suppression of piracy, to which many of the islanders, in their utter destitution, had betaken themselves. For a time, affairs went on prosperously, but his future conduct began to give a colour to the suspicions at first entertained. In framing his system of national education, instead of rendering those eligible as teachers who had been educated and liberalized at the foreign Universities, he confined the office of instruction exclusively to the priests, well aware that the bias they would communicate would be favourable to the views of the only power in Europe professing the Greek religion. A lurking desire at all hazards to conciliate the Autocrat, a constant communication with the Russian Admiral Ricord and adoption of his counsels in opposition to those of the commanders of the French and English squadrons, and a gradual weeding out from offices of trust of many sterling

patriots friendly to France and England, all favoured the conclusion that his ultimate object was to convert the young republic into a Muscovite province. The declension of his popularity was ascribable to another cause; though a statesman, he was no warrior, and the glory and terror which surround the latter character can alone dazzle and control the minds of a martial people just emerged from a sanguinary strife, with their brows yet seething from the brand of the oppressor. Accordingly many distinguished diplomatists were of opinion that a national government, decidedly military, presided over by a military chief, was the first essential to their regeneration; but the Allied Powers had determined to inflict on them a king, and as they depended upon France in the interim for troops, and on England for pecuniary subsidies, at the instigation of these Powers they were induced to offer a Crown to Leopold of Saxe Coburg. Meanwhile Russia, dissatisfied with this arrangement, and conceiving the retention of Capodistrias as permanent President more favourable to her designs, resumed her fiendish occupation of sowing dissension, dictated to Capodistrias a strong manifesto against the proposed appointment, and still further to cripple the nation, persuaded him to destroy the fleet of the Hydriots, the right arm of the national power. The tactics of the President thus became apparent; he had commenced, as all despots do, with a show of liberality. Under the shelter of the tripartite alliance, and with the subtlety of a skilful pupil of Nesselrode and Di Borgo, he had an eye alone to Russian ascendancy, and in close concert with the Russian Chargé d'Affaires had latterly been maturing his secret machinations, which the too frank confidence of the French and English plenipotentiaries enabled him the more easily to do. In fact, under the mask of governing under the control of the three Powers, he was playing the game of Russia, and quietly awaiting the hour when in the fullness of time, by a *coup de main* he might throw Greece into the jaws of the bear. The wily Mavrocordato was the first to detect him, and from that time increased dissension and distrust entered the Greek councils. Mavrocordato, Admiral Miaulís the Hydriot so famed for his services during the earlier years of the contest, the Bey of Maina, Ipsilanti, Coletti, the gallant Ipsariot Constantine Canaris captain of the fire-ships, and the whole of the islanders, ranged themselves against him. With the view of striking terror among the dissentients he assumed powers beyond the law, seized and imprisoned the Bey of Maina for merely leaving Napoli without his permission, and proceeded to such extremities with those unfriendly to his schemes, as to excite a fiery

indignation among the mass of the people. In the midst of his career, and immediately after his destruction of the fleet of the islanders, he was shot by the son of the imprisoned Bey of Maina. Although his removal was desirable, the means were unhallowed.

Greece was thus once more plunged into anarchy and outrage, and Leopold, after protracted negotiations, tickled with the more glittering bait of Belgium, declined the crown of Greece. Her independence being as yet insecure, she was still in the leading-strings of the allies, and was urged by them to chuse a monarch from among the royal stocks of Europe of the second or third class. She naturally turned to Bavaria, for Louis Charles was not only the first crowned head who vindicated the revolution, but Bavaria under his auspices, next to the high-souled Switzers, had done more in furnishing men and money to her aid than any other country in Europe. He had despatched a battalion of Bavarians, under Colonel Heidegger, very early in the contest, which had been of much service; and in transmitting, in 1825, a donation of 10,000 francs from himself and family, he gained the hearts of the Greeks by the exclamation,—‘This additional subscription for the relief of our suffering fellow-christians the Greeks, affords me peculiar pleasure, for am not I a man and a christian?’ Louis, with the concurrence of the allies, offered them his second son Otho; when the government, driven to desperation by the atrocities of the klephts, and eager to adopt any measure that held out a prospect of repose, at once accepted the offer. The Autocrat was the first to sanction the choice, for though he had strenuously opposed the nomination of Leopold from a dread of English influence, he foresaw that so long as he held the truncheon over the Germanic diet, he could have no apprehension from Bavaria. The stripling Otho is accordingly king of Greece; but it is impossible to justify his election on any ground of policy. If in the present times, even in old settled monarchies, an average portion of intellect and experience is indispensable in a king, how surpassing should be the endowments of the man singled out as the founder of a new kingdom;—of him on whom the high function is conferred of evolving order out of chaos, of nursing the tender gristle into the firm bone of political manhood, and laying the foundations of permanent prosperity. How much wiser to have chosen a Wellington or a Soult as a temporary dictator, who, by the weight of his fame, would at once have crushed the Capitani, and transformed the lawless soldiery into an orderly force; who, while he commanded the respect of foreign states, would have out-generalled the agents of Russia

and Austria in their ceaseless efforts to trample down the germs of freedom, and when order was restored and confidence prevailed, must have surrendered his delegated power to a national congress. This is no Utopian fancy. Greece is essentially republican. Since the fall of the Eastern Empire, there had been no privileged stock round which the affections of the nation clung, no single house for which the most ardent worshipper of legitimacy could force a pretext for the homage of his idolatry. The islanders and commercial classes had swelled into importance as an independent trading power, like the Phœnicians or Genoese, not leaning upon thrones for support, but relying on their own resources; and the genius of their municipal institutions had so moulded the minds and habits of the rural communities, that crowns and thrones and their ancillary gewgaws presented no image to them but a renewal of the night-mare of oppression. Another cause of the unpopularity of the monarchical system in Greece, was the hostility of most of the European princes, and the indifference of all save Louis Charles; for the fact is indisputable, that the Turkish blood-hounds were cheered on their prey by the plaudits of the majority of the continental cabinets.

Passing as the Greeks are at present through the purgatory that intervenes between slavery and freedom, and writhing so long under impoverishment and disquietude, it should not create surprise that they seized not the best but the first means that favoured the probability of escape. To saddle a king on such a young and petty state, where the royal establishment, and the interest on the national loans, nearly engulph the whole revenue, is sufficiently absurd. But the evil will only be temporary. There is in Greece no single foundation on which the principle of monarchy usually rests. What a contrast does it present to the feudal thrones of Europe. But public opinion, the offspring of knowledge and the natural guardian of human rights, has exploded for ever in intelligent minds, that purblind but potent prestige which once hallowed in the eyes of all, those hereditary thrones, however worthless and despotic; and if the signs of the times be read aright, the future is pregnant with such changes as will eventually remodel the political systems of Europe. Greece, like the rest, will then adapt her government to the genius of her people, and the probability is, that her present limits will be vastly extended. Should the eastern provinces of the Danube fall to Russia, and Austria acquire Servia and Bosnia, there is every reason to believe, that nearly all Albania, Thessaly, Macedonia, and part of Thrace, will adhere to Greece, and thus form a compact and powerful

state, all sprung from one stock and animated by the same current of sacred and sublime recollections. Occasional ferments and palpitations may disturb her for years, but the grand step of improvement has been gained. She has escaped from her Ottoman scourge, and been left in a great measure free to legislate for herself. She will become more and more the resort of enlightened travellers; commercial states will court her alliance; greater intercourse with civilized nations will teach her people the necessity of obedience to the laws; the security of property, of life, of all that man prizes, will calm the still turbulent passions; and although in her eager pursuit of wealth she may not realize the golden treasures of the Pactolus, she bids fair to hold an honourable place among the nations of the earth.

Lest these views be deemed over sanguine, the following reasons are adduced in justification of a confident hope of the rapid prosperity of Greece.

A chief one is the excellent character of the peasantry. Their industry and hospitality, their exemplary patience under suffering, and high moral feeling, form a theme of eulogy on which all travellers agree. Despite the evils of their worse than Babylonish degradation in former times, and the subsequent ravages of war, the extortions of their own lawless soldiery, and the infamous example of the primates and capitani, they have preserved their integrity unimpaired. This may appear startling, but it is at once explained by the admirable organization of their municipal institutions. Despotism and iniquitous as have all along been the higher departments of the Turkish government, to the wisdom of the prophet of Mecca must be ascribed the excellence of the popular and elementary parts, which left the local administration entirely to the people. However extortionate a tax might be, its oppressive character was much less felt, from the people being allowed to apportion it among themselves. The provinces were divided into districts, on each district a portion was imposed, and its allocation and collection intrusted to the community. Free from the presence of government agents and fiscal restrictions, and the monopolies and animosities they generate, each district elected its own *Præstoi* or elders, to whom were confided the civil and political interests of all. The assessment was laid on each individual according to his property, and as the community was made to suffer for defaulters, every man was in this manner responsible for his neighbour's obligations, and a check on impropriety of conduct. Such a system of mutual responsibility led them to exult in each other's success, and lament each other's misfortunes. To discourage



the idle and repress the vicious became the duty of all, and a moral influence arose which linked man to man in the closest affinities of interest and affection. The moral force of opinion became stronger than law, and because they were free from the scourge of a political church, whose interests are ever adverse to those of the people, they have presented the anomaly of a nation borne down by four centuries of enslavement, not only preserving intact and untainted the faith of their fathers, but maintaining order and domestic quiet without prison or police, or any of the terrors of criminal law. This municipal system formed the only ligature which so long bound together the dislocated limbs of European Turkey ; and if such a spectacle of social order and civic tranquillity existed under Ottoman rule, how must it increase in vigour under a native government deeply interested in its preservation. By the expulsion of the Turks, seven-eighths of the soil have been placed at the disposal of the government, and when the peasantry are located in the new possessions, the activity and enterprise of a new colony will be communicated. The soil too is generally rich and fertile, and enjoys a genial climate. There are not more productive regions in Europe, than the plains of Argos, Gastouni and Corinth in the Morea, and that of Zeitouni in Thessaly. The corn of Greece has long been held in high estimation, and the olive oil of Attica is plentiful and excellent. Both the Morea and continental Greece produce in great abundance silk, wool, cotton, fruits, wine, honey, sheep and goat skins, and ship timber. Previous to the revolution, immense quantities of provisions were also exported. Some idea may be formed of the riches of the country, when it is added, that the olive plantations alone, after recovering from the devastations of the war, will, in the opinion of sound economists, yield to the government annually, upwards of fifty millions of Spanish dollars.

The peculiar genius of the Greeks for naval affairs forms another encouraging hope of speedy improvement. If the little islands of Hydra, Spezzia and Ipsara, arrived at such a pitch of prosperity when but a small part of the withering blight of oppression was removed, as to resuscitate the energies of the national character and chiefly to create the revolution, how great and glorious may not be the career of the Greeks in commercial success when under a government of their own ; and when property, instead of being as heretofore studiously concealed from the constant dread of extortion, shall be freely turned into every channel which in other countries leads to the accumulation of wealth. Greece too, is singularly adapted for commerce. Her peninsular form, her position in the centre of

the richest countries of the old world, her numberless seaports, and from the multitude of inlets their proximity to every part of the interior, and above all the skill of her seamen, justify a sanguine expectation that, as her resources are gradually developed, she will ultimately rank among the first commercial nations. From the great depth of water, there is scarcely an indenture in the whole coast of the peninsula not adapted for an excellent harbour ; many of them are, indeed, unequalled in Europe.

But the greatest assurance for the establishment of a powerful Greek state, is the strong moral principle that knits the people together. The unclouded glory of their ancestors in arts, in arms, and philosophy, at a period when a mantle of darkness hung over all the earth besides,—the rapture they now feel since their partial enlightenment in treading the same paths with the famous men of old,—the continual spectacle of the valleys and the mountains, the passes and the rivers immortalized in their works, or by their heroism,—the identity of the Romaic with the language of early Greece,—the unswerving and devotional attachment they have displayed for their own faith, and the concentrated sympathy of the generous and the free throughout the globe reacting on themselves,—all create a moral principle which when time shall have shed its mellowing tints over the excesses of the hour will be omnipotent for good. Their centuries of suffering have not only burnt into their hearts an ineradicable hatred of oppression, but every successive discomfiture has taught them more and more to rely on their own swords ; for this self-reliance is the high and avenging attribute of liberty, which marks it always more mighty in the end by all the defeats and disasters that crowd its history. What is it that makes freedom dearest to ourselves ? Even the memory of those who have perished for its sake in our own land, the dark tale of their tortures and their martyrdoms, the battle-fields their blood has hallowed, the graves where their bones are mouldering. Liberty cannot live in a land which is not strewn with these memorials of her past struggles ; and she never will be loved enough, save by a people who have suffered sorely for her sake.

The progress of the Greeks in knowledge, and their eagerness for mental cultivation, likewise hold out flattering views of improvement. Perhaps no nation at the present time possesses in proportion to its numbers, so many men devoted to the promotion of education. The multitude of original works by Greek writers, and translations from the classics into Romaic, within the last twenty years almost exceeds belief. To such

great efforts the writers are impelled by the extraordinary natural talents of the people. As was formerly observed, there is probably no race in the world so distinguished for facility in acquiring knowledge and capacity of retaining it; and there is every reason to believe, that when government co-operates in providing the means of universal education, their advancement will be as unlimited as their thirst for enlightenment. But if such advantages are to arise from the establishment of the new state, by what calculus can the benefit be estimated, when it is regarded as a common centre whence civilization and its meliorating influences are to extend to the whole Greek race? Though the Greeks south of Arta and Volo are less than a million, there are upwards of two millions more in Europe and as many in Asia. They all speak the same language and cherish the same faith, and even still, after centuries of separation, entertain the same passionate attachment for the cradle of their race as the Jew does for the banks of the Jordan. As recent events seem to indicate a speedy dismemberment of Turkey, and as the rayahs are always the first to suffer, the insulted Candiot or Roumeliote will fly to regenerated Greece as to a sanctuary; and it is presumable, when the government is secure, that the immigration from all quarters will be so great, especially from Thessaly and Albania, that Greece in a very few years will double her population.

Independently of the other guarantees Greece possesses for increasing prosperity, not the least is the devotion to her interests of many of her public men. The present ministry comprises several of tried and steadfast patriotism. Spiridion Tricoupi, president of the council, is one against whom the voice of calumny never was raised. He is son of the primate of Missolonghi who sacrificed his life and property during the last siege. He inherits all his father's zeal and devotedness, possesses extraordinary powers of mind, was long secretary to the late Lord Guildford at Corfu, and pronounced the celebrated eulogium at Missolonghi over Byron's remains. Greece may be proud of him. If he live, he will confer mighty benefits on his country. Coletti, minister of the marine, has already been alluded to. Psyllas, minister of the interior, was president of the Philomusæ Society of Athens, and did much to accelerate the revolution. He is highly commended by Mr. Blaquiere and others. Polyzoides, minister of the tribunal of Napoli, was formerly editor of the *Journal of Hydra*, a publication conducted with great ability, and which, under many a dreadful disaster, sustained the drooping hearts of the islanders. Mavrocordato, minister of finance, whatever be the suspicions en-

tertained regarding him, is the most experienced man in Greece in diplomacy and the business of government. Besides these, she can boast of Niketas and Demetrius Ipsilanti, who are believed to be the only two of her military chiefs who have come forth from the struggle with hands unpolluted by extortion. Niketas, when reminded of his personal sacrifices and his prospect of destitution, used to say in language similar to John Pym's, 'If it be well with my country, it is well with me and mine.' Far be it from being insinuated that Greece had few patriot soldiers, her triumphs had been few had they not abounded; but it is matter of notoriety, that the majority of the chiefs sullied their laurels by rapacity and exactions. No bandit of the Appenines has been guilty of grosser extortion than Colocotroni the chief of Caritena. Her naval heroes, Miaulis, Sachtouri, and Canaris, survive, without whose exertions the revolution would have been strangled at its birth. Soutzo, Rizo, the two Conduriottis, Londo the friend of Byron, Nothos, Botzari, and many others, continue to manifest the most inextinguishable interest in her welfare.

Among her literary benefactors, besides Korai, Philippides and Constandas two of her earliest and greatest intellectual regenerators are still alive. May they like Valerius, Publicola, and Washington, long witness the glory of the land they have contributed to save, and shed the light of their example on their country.

From the foregoing and other views that might be offered, as well as the fact that all the writers on Greece, even those most severe in their strictures, concur in maintaining that the Greek character abounds with the seeds of high intellectual and moral endowments, and with that insatiable ardour which always accompanies superior powers, the inference that a speedy progression must be the result, seems irresistible.

But the fruits of her prosperity will not be confined to Greece alone. The Turkish empire, like a timeworn tower is toppling over its base, and the spirit of change is upon the torpid shores of the Levant and Asia Minor. Whatever be the issue, the wide-spreading branches of the Ottoman Upas tree will infallibly be struck down, and Greece become the engine of civilization. The extending influence of the French at Algiers, the enlightened policy of the Egyptian Pacha, the possession of Armenia and Georgia by Russia, and the extinction of the general belief in the Sultan's invincibility, have cast a blight on the undoubtingness of the Moslem creed, from which it cannot recover. The increased commercial intercourse between the Greeks and the Asiatic coast, cemented by the multitudes of

their countrymen in Ionia, the Sporades, and the Levant, will render them the principal agents in extending the domain of civilization. The voice of Christianity may again be heard on the banks of the Euphrates and the Jordan; and though the cities of Asia Minor can never regain their former exclusive splendour, as when the Roman youth in the time of Cicero used to flock for instruction to the Lyceums of Alabanda, Magnesia, and Halicarnassus, they may emulate the enlightened cities of Europe, and become the pioneers of knowledge to the depths of Arabia Petræa, and the regions of the distant East.

How eagerly, therefore, should England co-operate with the young state, and how loudly do her interests call for a firm demonstration against the aggressions of Russia. Whatever may be the state of Turkey, it does not follow that European Turkey should sink into a Muscovite appanage. Is it not enough to have seen Sweden cleft in twain and Poland annihilated, to take alarm at the Machiavelian policy of Russia? Heaven, in mercy to Europe, after the destruction of these great bulwarks, seems to have summoned another into existence in regenerated Greece. The schemes of the Autocrat have thus been partially marred. He paused only till his dominion should sweep from the White Sea to the Cyclades, to pour over the West his living inundations, and re-enact in the 19th century the horrors of Alaric and Attila. Fain would the monster sun his paws in Attica, and grasp the Hellespont in his gripe. He knows that his brute strength is unavailable without naval power, and his energies are now mainly directed towards forming a marine. He covets Constantinople as the key of the Black Sea and the Mediterranean; which would unlock to the commerce of the world, the vast and rich produce of his empire. Greece and her gallant seamen would speedily fall a prey, and her now dormant treasures would so multiply and develop his resources, as to render Russia a tremendous antagonist to Europe. Should Russia become as distinguished for commercial as she is already for physical power, before the principles of freedom have struck into her frame of government, the free states of Europe may tremble. She has just accumulated a fleet in the Euxine of nearly 30 sail of the line. Any longer indifference on the part of France and England to her machinations, must endanger the security of their commerce, and the freedom of the Mediterranean; and perhaps be the means of inflicting a mortal stab on the independence and tranquillity of Europe.

It is impossible to take leave of the subject of Greece without an expression of congratulation. A raging wound has been

healed in Europe; Greece has been brought back to a healthy action, and restored to the rank of an independent state. England has been charged with neglecting her for Belgium; but it may be urged that Brussels lay too near the heart, for the state physician to prescribe at the time for an ulcer at the extremities. But England has a deep and growing interest in her welfare; and as she advances to maturity the sympathies of the world will cling more closely round her; for if even in her hour of political extinction,

‘Cold was the heart, fair Greece, that look’d on thee,  
Nor felt as lovers o’er the dust they loved,’

how must the affections pour forth again in a spring tide of enthusiasm, on beholding her arise from her trance of centuries, and evince once more the lofty spirit of her elder day. Her claims on the affections of the world are paramount to those of every other land. She is dear to the literary man, because she is to literature what the Holy Land is to theology. She was the mother of a race, who in the triumphs of art and of eloquence, and, considering their means, in the mastery of philosophy, arrived at a pitch of grandeur and of power which the mightiest of the moderns have never equalled; and that at an era, when a veil of impenetrable darkness enveloped almost all the earth besides. She is peculiarly dear to the patriot, because she was first among the nations in asserting the dignity of freedom, and in annihilating for ever the right to enslave which was rapidly gaining a prescriptive authority over mankind. Her little band of heroes marshalled on the battle plain of Marathon, surveying with unblenching cheek and unquailing eye, the approach of the myriads of the Persian, presents a spectacle of moral sublimity without a parallel among the records of man! And it was the page that embalmed the triumphs of liberty in Greece, that for many lingering centuries formed almost its only preservative amidst a world of slaves, and when the dawn of its revival appeared, contributed most to re-kindle the love of it in the bosoms of men. She is dear, besides, for the sacrifices made for her;—for on her soil the prince of Freedom’s poets expired, whose earliest inspirations were imbibed from her altars, and whose latest energies were unreservedly devoted to her then forlorn fate; and in her cause too, fell the heroic chief, Marcos Botzari, the rival of Leonidas, and many a hundred more

‘High hearts and brave are gather’d to her breast,’

who would have done no dishonour to the ranks of Miltiades or Philopœmen.

ART. III.—1. *Debate on Mr. Roebuck's Motion on the subject of National Education. July 30. 1833.*—Hansard's Parliamentary Debates.

2. *Sketch of the System of Education, Moral and Intellectual, in practice at Bruce Castle, Tottenham, and Hazlewood near Birmingham.*—Baldwin and Cradock, 1833.

3. *Compendious View of Universal History and Literature.* By Major James Bell.—Baldwin and Cradock.

THE people of England have been urged by the Lord Chancellor of England to second his efforts for the establishment of a National System of Education.

When the governors of a country, acknowledging the principle of utility in any direction, confess their inability to accomplish their desire to bring it into practice, it falls within the object of every popular publication to lend its utmost aid.

There are not wanting, however, other helps to bring about unanimity and united exertion on behalf of this first principle or basis of a representative system—the universal developement of the intelligence of the people. The exclusive spirit which claimed first for the higher, and then for the middle ranks, a superiority over their unfortunate fellow-beings of the poorer classes, has been broken down by the vigorous efforts of the excluded spirits, and every remaining entrenchment of pride will be yielded by the fears of the higher classes, or the poverty of the middle.

The question of a national system of education, is as regards all the shopkeeper-class, large or small, wholesale or retail, a question of reduction of taxation.

As regards the higher or wealthier classes, it is a question of security;—of the portion of wealth, or influence, or political power, which they may retain, but will not, if the numbers, with whom must be the physical force, be not so enlightened as to become a righteous moral force.

There are many indications of the advantages obtained both by the higher and the middle classes, in bringing luxuries and comforts, formerly enjoyed by the rich alone, within the reach of the poorer classes of society. Every such reduction has operated as an extension of means, or a reduction of taxation; which are almost convertible terms to the classes not included among the poor.

Cheap education will be of the same benefit. Instead of paying 50, 60, or 100 guineas or more for each of the years of a boy's or girl's youth, to make him or her useless except as china ware which must be put out of reach of handling; a good useful article, a man or woman fit to make way by wielding whatever

energy or talent nature has given for such purposes, may be made under a system in which multitudes shall share both the enjoyment and expense, for one fourth of the sum which the valueless work now costs.

Would any one judge of the value of the beings produced by the present system, let him gather together all the men and women high and low, in want of places of all kinds. Those in which mere reading and writing, the wearing a good coat, the making a bow and seeming a gentleman, are the chief requisites, might be filled over and over again by the candidates for place. But plant these in new circumstances, where bodily energy, skill, activity, and invention are required, either to adapt to circumstances their own condition, or to convert such circumstances to instruments of good,—is there one in one hundred whose endowments natural or acquired will help them at all?

Thence come swindlers of all kinds,—the defrauder of the tradesman by running into credit by virtue of appearances, or the more needy or desperate scoundrel, who buys only to pawn.

Let the eye range from the highest to the lowest condition in life, this is the effect of men being cast into circumstances with which they are not taught to cope, trained to do nothing or but one thing,—and, that failing, helpless and almost inevitably rogues.

To be intelligent, to think, reflect, and be capable of judging rightly, is but a small matter in education; a man must be able to do some one thing or more, to put his shoulder to the wheel, and by useful exertion work out the will or wish or judgment of the mind.

If he has not energy or ability, his morality is but a romance, that will last out the day of successful circumstance, but must yield, first or last, to the temptation of adverse circumstance.

National education is then not only a question of cost, but of security; of making provision of national morality, without which constitutions and laws, and all the virtues of either monarchies or republics, are mere chances, that may last a day or a season, but can endure no longer than the people are weak as well as ignorant.

There have been in Britain counterbalances to the want of a system of national education, the operation of which has concealed the existence or the extent of that want, till the reform of parliament placed the power of the State in the hands of the people.

Some foretaste of this want was given by the riots of former years, and the rick-burnings of late; and the present day



exhibits still more cogent reasoning for the enlightenment of the people in the sources and uses of political power, in the strength they can wield if they please, to the overthrow of all intelligence and all property.

Of the counterbalances before alluded to, the freedom of the press, so far as it has existed, has been the most powerful ; and had the press been entirely free from fiscal restrictions, its good effects would have been more abundant. But both Tories and Whigs have concurred in denying these means of public instruction, to those who stand most in need of it.

But after all, this is beginning at the wrong end ; for all must be trained to read, learn, and inwardly digest, before the full scope of the lessons of the press can be gathered by the people.

The reading the A B C ; summing up figures ; spelling words ; are the veriest beginnings of the art of reading. The power of learning must be communicated in more advanced stages ; and the inward digesting must be left to the period of the mind's maturity.

As various then as are the powers of man, or the vocations of life, social, domestic, professional, must be the means whereby such development and training may be accomplished.

What are generally the present means ? What the proper means ?

Of the present means, the only principle is chance,—half mixed with some calculation of purposes.

The gentry have one method—bad ; the middle class, one method—bad ; and the poorer class, one method (if any)—bad too.

The method is fixed for entire classes ; not according to the purposes or objects of the individuals, of every variety of caste, of talent, and pursuit, constituting those classes. The main purpose is to bring up the gentleman as distinguished from the tradesman, the tradesman as distinguished from the servant or individual of the like rank. Degrees of intelligence are supposed to be suited to ranks in life.

Whatever may be the general supposition, all will be disposed to admit on a little reflection, that every one should have so much intelligence as to be able to understand the doctrine of value ; or, to use the expressive words of the shrewd philosopher and statesman Franklin, ‘ not to pay too much for his whistle.’ How many bankruptcies and failures of hopes the most brilliant would have been saved, had men possessed this knowledge. How many wars would have been prevented, and frauds national and individual, serving a temporary and self-ruining purpose, would have been abstained from.

The whole doctrine of value embraces all moral and physical knowledge. Its first position is the uncertainty or want of fixedness of all things,—their fluctuating and relative value, according to the changes constantly occurring in their circumstances. This branch of knowledge has, until of late, been almost wholly excluded from all systems of tuition. Political economy, whose principles are but expositions of the certainty of change, supplies some part of the deficiency. The Utilitarian morality makes up what political science omits. It is true that divines and moralists have constantly enlarged upon the uncertainty of human life and things; but their preaching, by omitting the conditions of the uncertainty or unfixedness, which are in themselves certain and uniform and ever-acting, have withdrawn men from the consideration of the degree of control over their own conditions, which intelligence, wisdom, and moral training, may confer upon them. It may have inspired caution; but it has not supplied the guide.

Astronomy, geology, the natural sciences, political economy, mathematics, and arithmetic, all are means of teaching this doctrine of value;—that is, of how much should be given for the whistle, and what the whistle is,—of what is the probable term of man's life and his hold over the conditions which determine his health and its duration.

How the same principles operate universally in a uniform manner, and apparent differences are but modifications of one principle, determined by its contact with some other of greater force;—how man with all his boasted intelligence is himself weak, and his determinations are daily baffled by the control of circumstances created by the operation of principles not of to-day or yesterday, but operating through all time, and which yet, though not to be vanquished by his efforts, may serve as the winds and the sea, by his sagacious skill, to carry him onward, if he will but be content to know what is the value of the force, and the uselessness of resistance and repining;—did men know all this by an extensive experience of the laws of nature and the human condition, all vain hopes would be tempered, and some individuals would break out into the intuitive prescience of genius. The practical man, instead of being guided by the fashions of to-day, deeming them universal and immortal, would become a comprehensive theorist whose sagacity would seem to approach to omniscience. What intelligence now prevails,—and in spite of all obstacles it is great and daily enlarging,—has come from the operation of the free minds of a free people by means of their free press. Could they, as their own regulators, but plant their stakes into the ground at what distances they

chose, and so determine the relative length and breadth of the knowledge within their reach, the power of the intelligence of the people of this country would be as the mechanical power of steam, resistless and controlling to elements that have now the higher power, and man's condition would be raised to a level which few would venture to predict.

Such is the scope of knowledge which every man needs, to judge of things in heaven, the earth and seas, as a created being, a social or moral man, the member of a political state, the builder of his own fortunes, and of the happiness of himself, his kith and kin;—to know when to exert every energy in fearless activity, or bend its spirit before the resistless power of circumstances;—in short, the combination of enterprise and self-control, making men powerful and just.

What one man can do amidst the elements of nature is small; but each is in his own orbit the centre of his company of satellites, and so may contribute a portion of increase considerable to the general power. It is one of the virtues of the press which addresses all and may affect all, that multitudes forming a mighty aggregate of petty influence operated upon by it, may affect the condition of the whole, and so create a moral force, individually weak and of small power, but bound up together and acting with one mind and to one end, that shall unite the power of each into the power of all.

This then is the task of national education,—to educe, in the strict etymological meaning of the term, a moral or conventional force, which would be slowly and imperfectly formed by the single efforts of individuals or classes.

To produce universal instruction, there should be universal means. Not for the purpose of teaching partial or disputed truths, or the dogmas of one sect to the exclusion of others; but for the teaching of that knowledge which is admitted by all,—of giving that training which all need.

Admitting that religion should be a subject of the established scheme of national instruction,—but *whose* religion? And who will contend that religion now accomplishes all the important and conclusive objects of moral instruction; or if it does to the sect of the established church, how fares it with all other contributors to the fund of instruction?

The religion of the church and the religion of the sects, alike fail in the highest object of religion, the creation of a moral force; because from the natural tendency of peculiar and sanctioned classes to confine themselves to merely technical and professional views, they have separated religion from its subject matter,—man, as a being of this world, whose salvation must

be wrought out by working with such machinery as is given to him, and according to his opportunities and position. They are ignorant of the value of man's condition as a whole;—they concern themselves with only the seventh portion of his existence, and his character as a devotee of one sect. They employ the same general and shadowy instructions which preachers employed in darker times, being unable to supply illustrations of the practical application of the truths they preach, from a knowledge of the ways of the world and the course of human action. The multitude, unapt to connect generalities with particular cases, apply the doctrine to all others than themselves,—admit its truth but perceive not the bearing on their own case;—or else more learned than the preacher, perceive that he knows not what he says, because he is ignorant of the real predicaments of men in life.

This is the general character of the castes; and shall the nation pay its treasure for such teaching?

It would not be among the least of the benefits of a national system of education, that the general diffusion of intelligence would compel the preachers of religion to show God by his works, and by forcing religion upon the minds of the people through the medium of objects which surround them, make it the guide and companion of actions.

If this be done by the national church, for its own body, by means of the national fund, it is clear that no inconsiderable part of the community are still excluded from the benefit of their own contributions. It becomes therefore a question of immediate bearing, whether the scheme of instruction should not be so enlarged as to include all, and the funds now appropriated for the lesser and inefficient service be applied to the larger and more efficient one.

But whether the funds come from this quarter, or after having paid their full quota the public are taxed all over again for the same purpose, it would still be poor economy, and a strengthening of the hands of the subversives, to deny to the mass of the people the means of overcoming them by intelligence instead of force,—or to be more intelligible, by fair means instead of foul,—samples of which latter have been given by ignorance in all times and countries, not very palatable to the well-conditioned and refined, who whether friends or foes, are usually mixed up in the strife with the ruder power. This matter of education is therefore a common concern, on which none will find it wise in the result to be lukewarm.

The scope of Education must be determined by its objects. Hitherto it has been confined to intellectual improvement. The

grand object is to unite in the highest possible degree the combination of the speculative and practical characters in the same person. The former when once set a going, proceeds in a far more rapid course of improvement than the latter; the manual or mechanical operations being far slower and less exciting than the mental volition.

From the exclusive attention to intellectual studies, the speculative has far outrun the practical, and lost the power of patient application on which the solidity and completeness of the speculative is dependent. In short, of the whole number of persons trained by the present system of Education, the far greater number are deprived of habits of industry, of bodily or physical application. Hence, though remarkable for refined sentiments and generous emotions, they seldom second these by corresponding efforts. But this in a still greater degree is the case with the power of bodily application. Hence men of genius have become distinguished as men of idleness; often, as dissipated and immoral. They depend upon intellectual excitement, and having no physical toil to subdue the physical excitement, or divert the mind from the more exhausting efforts of intellectual pursuits, their lives are a succession of states of excitation and depression. Wanting energy, physical or mental, they speedily become indolent; fond of dreaming, and mere idle reading, but incapable of either mental or bodily application.

From the great Public Schools to the merest Charity School, this one fault runs through the whole of the general systems of Education. Addressed as they are to the purely intellectual, they fail because the purely intellectual is useless, except in reference to its power over the physical; which power it cannot possess except by a course of discipline, uniting both the intellectual, physical, and moral faculties in the same concurrent course of development. The moral is but the habitual effect of the intellectual and the physical trained to right uses. A moral man is one who has self-control, and therewith and in consequence thereof, the habitual exercise of what is morally good. But this self-control is dependent naturally and mentally upon physical control, and this again is the result of intellectual control, constantly actuating the physical. To be a moral man is not to be a mere man of sentiment. A man may think all good, and yet be so weak of purpose as to be capable only of evil, which unrestrained physical incitements may force upon him. The whole man must be educated,—the intellectual—the physical—the moral; and this is not done by wise saws, but by discipline constantly bending the faculties of the individual to suitable purposes.

But to be more specific, what are the powers indispensable to a man, in his progress through life ?

It has been said, that Reading, Writing, Arithmetic, are mere instruments of Education ; though some would enumerate them as the thing. There are many others which are both ends and means. Such are Attention—Presence of mind—Observation—Reflection—Activity and Ingenuity—Energy and Courage—Labour and Punctuality—Gracefulness or Taste. The machinery whereby all the aforesaid powers may be created or formed, is too multitudinous to be treated of here ; it is sufficient to urge that no scheme of Education can be perfect unless these powers are kept in constant training, to the end that the person trained, may when his Education is closed, find himself employing them with the same facility and habitualness, as he would walk, or dress, or do any other daily or hourly task.

Of all the deficiencies most common upon these heads, the want of Attention is the commonest. This arises generally from ignorance, and the consequent lack of interest in the hearer ; but it often arises from the want of skill of the party addressing, from his inability to dovetail his new views with any feeling or knowledge of the party addressed. And this teaches that the tutor must adapt his lessons to the capacity or previous acquirements of the scholar ; and that it is in vain to flog for inattention, where the fault is not in the will of the boy, but his or the master's want of power.

Presence of mind, is perhaps but another term for the power of attention, chiefly applied to physical circumstances. The want of it arises from a want of skill to cope with strange circumstances ; which is a want of self-dependence. What knowledge would do for the intellectual part, games and bodily exercises would do for the physical,

Observation too is founded on attention, and on presence of mind, constantly alive to surrounding objects. It will follow in a great measure from the two former qualifications.

Reflection, in the right sense, is the result of all the former. Nobody ever reflected to much good purpose, who had not the power of observation to a considerable extent.

Activity and ingenuity, labour and the habit of punctuality, must be cultivated by varied employment, sometimes quickly and even suddenly changed, and continued for periods longer or shorter.

Energy or Courage come from a consciousness of power well disciplined.

Gracefulness or Taste may by some be deemed merely orna-

mental ; but they are only terms for the possession of power in a certain improved degree. Indeed taste rightly considered is only the faculty of right judgment,—the possession of knowledge with refinement, or without unmeaning and worthless accessories.

These objects are in a very partial and imperfect degree attempted to be worked out by the present system, even among the most enlightened classes. It is in vain therefore in this free country to attempt a system of national Instruction, till the enlightened classes have become convinced of the defects of their own.

The influences of the aristocracy have in a great measure tainted the Education of the other classes. The ambition of bringing up their children as gentlemen and ladies, instead of men and women fit for their several positions in the world, has led to the teaching of accomplishments to the exclusion of other studies whose aid in life would be more practically useful. The whole thing is misconceived. The pride of parents—the most willing self deluders—is pleased with the sight of a smart gentcel lad, or a graceful pretty girl, whom they can call their own, and put by the side of others without shame ; but whether the smartness of the one or the gracefulness of the other shall make them more or less industrious and capable of coping with their future cares, does not always enter into a parental calculation.

The study of a profession is supposed to be fitly deferred till the boy is articled or apprenticed ; and the girl may learn her household duties and nothing else, at fifteen or sixteen when she is best fitted to commence the higher branch of study ; but the previous training corresponds neither with their character or their views. What calculation is made by the few who do calculate, is made on feeble grounds, and those chiefly determined by guess or accident.

Of the multitude who postpone all calculation, till the boy has grown up to man's estate, and to a fancy which shall enable him to dream of what profession he shall like, every street of every town furnishes its many instances.

A child passes the first years of life caressed or tortured in the nursery, the drawing room, or the kitchen, as its lot may be to have a careless or careful parent,—the mischief seeming only to be varied in its kind by the absence or presence of the care. After the nursery, the banishment from home to a preparatory school is the next short step. And in convenient season the boarding-school is the resource of the parent, indolent, ignorant, or to speak charitably too much engaged

in business or pleasure, to lend his aid in the instruction or superintendence of the Education of his child.

This career is varied by the holidays, during which the children are surfeited with eating and drinking and pleasure, or the idleness of home.

The father takes little thought of the school except when he receives the half-yearly bill; and satisfies his conscience by an occasional letter of prudential advice, such as he knows he never regarded in his own days, and has little chance of being regarded better by his offspring.

The rich manage the matter by sending their children to the established public schools, where their fellows are sent;—thence to college, and there is an end of the matter.

Whether they are to be Legislators, Statesmen, Magistrates, Landlords, Managers of their own property, Jurymen Grand or Petty, Sheriffs, or charged with any other public duties great or small;—what the law may be affecting such offices, and how the political duties of a good citizen or constituent are to be performed,—the social system of the country, its trade, its history, its commerce, its relation with other countries, the principles of political science,—all these are matters, of which the present system brings up generation after generation in profound ignorance. Scraps of knowledge are indeed picked up by the mass who read the newspapers, where reports of the debates in parliament and the proceedings of the courts of law, with the occurrences of this wide world, are scanned for the gossip of the day, and leave their faint impressions behind. But excepting the few who have the energy to make up for lost time, and are thus thrown back again upon the rudiments of science, how few comparatively of the well-born and the rich know anything. The professional man, and the merchant, and others who take to particular callings, acquire, from necessity, the knowledge of the matters connected with their pursuits; and the constant activity of their minds enables them to apprehend many things of which they read in the daily instructors. But how many are nothing but professional men and merchants and artists and so forth, with no idea of aught which is not a part of their immediate pursuits, and not aware of the full value and thorough nature even of that, from want of a general knowledge which would contribute new lights, and save its possessor from the narrowness of mere technical conceptions.

It is not wonderful that this state of things has produced an indifference to any scheme of national Education, or a misconception of its character and effects. There is however hope that the consciousness which some intelligent men in most



classes, now feel of the deficiencies of their own Education, may after some earnest reiterations of the subject, work in favour of a national scheme which shall make Education good, cheap, and accessible.

No school on the present insulated plan can give a good Education, even at a dear rate. But cheapness is a condition absent in all cases, for a bad Education is always a dear one.

Accessibility too is a chief requisite;—and by the term is meant, such nearness to the dwelling of the parents, that the domestic may be combined with the public system.

All this might be done, if all would combine. There are obstructions, which will be enumerated further; yet these may be conquered by the most convincing teacher met among mankind, the coming to know that as good a thing may be procured at a cheaper cost.

For some years past, rival schools have, in different directions, struck out of the old tracks of instruction. But their improvements are partial, being too often limited by the apprehensions of the parents, or the ambition of the middle class that their children should have the useless distinctions of the aristocracy. In the schools of the high bred, the same adherence to the fashions of centuries past which distinguishes their political conduct, is to be found, and will not be got rid of, till the middle class, whose intelligence has received a far higher education, have beaten them out of the field of political influence by their superior attainments. It is not worth while to repeat the exposure of the monkish system, of teaching learning comparatively useless, in the most tedious and inefficient manner. The practical exhibition of its effects in life is a sufficient commentary.

The cost, the inefficiency and incompleteness of the system pursued in the middle ranks, are burthens which may be removed by the acts of the people, without the aid of the Legislature; and the experiment may end, in procuring for the poorest the instruction, which all members of a free state should have the power to obtain.

The leading defect of the system generally, is the almost exclusive attention to intellectual education. Moral and physical education is usually neglected. And this defect is not an omission which may be supplied in after life, but the creation of a positive evil, that may mar the effects of the intelligence created, or be aggravated by it.

People are taught to think, but not to do; words, but not things or actions; dry words, imperfectly understood by the

master, who teaches what he has been taught as imperfectly ; the mere rules and examples of school books ; out of the course of which he can give no instruction, having learnt nothing else. The system is a system of pedagogy, inevitable as long as one man is expected to teach all learning, ancient or modern, every art or science, and besides carry on the general business of school management, from day to day, through two-thirds of the year, without time to study what the world is heaping up and unfolding in the way of discovery or new illustration.

There are indeed a few schools where other systems have been in part adopted, but all more or less imperfect, from the want of scholars in sufficient numbers to permit the full development of a comprehensive plan. A school of 100 boys or less, does not admit of that classification which the difference of their powers and dispositions demands ; nor can the requisite aid of a sufficient number of masters or tutors be procured, except at an expense which the revenues of such an establishment would not justify.

The great desideratum is, that no master should be required to teach more than one subject, or at any rate not all ; and that he should be so thoroughly versed in that, and all the methods of teaching it, that out of the fullness of his own mind he might teach with such earnestness as an enthusiastic and thoroughly informed person would naturally do. If he be a self-taught man, he will furthermore have that simplicity and clearness of view which the learner by rote never acquires.

A school for boys should consist of forty or fifty Masters, of every variety of acquirement,—each exclusively devoted to one, and with leisure enough to gather whatever the speculations or researches of others should day by day add to the stock of knowledge peculiar to his department.

Each master might have the charge of fifteen or twenty boys, under his peculiar care, as boarders ; and for this purpose it should be a pre-requisite that he was a married man.

The course of instruction should be so arranged that the whole might be accomplished in a period of eight years, from six or seven to fourteen or fifteen ; and by so dividing the lessons that each boy should come under each master once or twice a week, all would have the benefit of the various methods or manners of the different masters, and of a keener interest in their progress.

Some of the masters should have the superintendence of physical exercises, and others should mingle with the boys in the hours of relaxation.

The course of education should be intellectual—physical—moral.

In the intellectual would be ranked History (including Chronology, and Geography), the Elements of the Arts and Sciences, Languages.

The physical should consist partly of bodily exercises, in the department of gymnastics, including riding, boxing, fencing, dancing, swimming, military movements, digging in a garden, and carpentry.

The moral would be the result of the intellectual education, as applied daily and hourly to the collection and formation of just opinions, on every thing that can be brought within the sphere of the pupil's observation.

Numerous as these subjects are, by an equal distribution of the time, the whole field would be travelled over in the course of eight years, without hurry or cramming.

Four hours a day would be sufficient for the intellectual and moral instruction of the youngest; and the eldest should not exceed eight.

Three or four should be given to physical exercises.

The rest to play, refreshment, and sleep. But much time should not be left to the pupils, and the whole system should be so diversified as to have the charm of pleasantness.

In a large school of this character, the education of a boy need not exceed forty guineas a year, and his education should fit him for either prince or legislator.

If the school consisted of 1000 boys, a fee of half-a-guinea a-year to each master would give, with a house, a handsome salary, making in all to each boy only twenty-five guineas a-year for instruction. Ten or fifteen guineas a-year more would cover all expenses.

The advantages of a public school, and its discipline and public spirit, would be united to the best domestic system that in the circumstances would be practicable.

The great difficulty at present is to accomplish the advantages of good domestic tuition or superintendence, in which alone can morality be much looked after. At home it is done, not by rules, but by the constant example and influence of parents, and brothers and sisters. Here is found early the true experience of life and its troubles, in which the pupil mixes and sympathizes. No where else can be found the ready apprehension of peculiarities of character, the interested keenness, which shall help the backward, and encourage the more enterprising. But in how few families is there not some too powerful reason for desiring that education should be conducted away from home. A parent whose own education has been neglected, will not be able to give much assistance to a child; and then some are

too much occupied with business or pleasure, or the habits of their circle forbid much care or thought, or prevent those deferences to the rules of a school, which the discipline of a school must insist upon. Were these drawbacks removed, the kindness of home and its experience, mingled with the ruder discipline of a day-school, are the best preparations for life.

Mere private instruction unfits a boy for coping with his fellows, and the child is the father of the man. And mere public instruction, while it gives rise to the energies and rivalries of life, and makes a man of the world, robs its scholars of the finer graces of domestic affections and their moral influences.

Where it is necessary that the boy should be sent from home for the chief part of his education, his returns thither should be frequent. The modern plan of frequent holidays is more beneficial, than those greedy of mere lettered acquirement are apt to imagine. It were well if he could come home every fourth month, that he may not feel a stranger in his own home; if the practice were coupled with the precaution of requiring that during that period some book or books should be read, of which an abridgment or analysis should be given on the boy's return. Home would be fresh, and would teach many things that do not fall under observation at school; and even a return to school has its charms, if the school be rightly modelled. But why all this on the question of National Education? It is important to set forth first all that should be done in education for those who can afford the best; and then how much of the best can be given to all others.

Whatever is necessary for the early education of the rich, as regards intelligence, is necessary for the poor also. The very tendency of their condition to confine their efforts in after life, renders it indispensable that they should be taught most comprehensively when young. Being so taught, the casual lessons of the press will not be without good effect, on minds practised by experience, and removed from the influence of many conventional absurdities that deceive other classes.

History is most necessary to them. They will end with having the right of saying who shall govern them, and being the strongest may at all times control the rest of the kingdom. It is necessary that their intelligence for good should be on a par with that of others who have more leisure. The knowledge of history is necessary, that they may know what have been the causes of the overthrow of monarchies—and the failure of republics,—and learn by avoiding the same evils, to secure what happiness may be derived from good government. Moreover all that part of history on which political economy is founded must be known,

that they being honest may learn to exert their strength honestly. To that end it is necessary they should know the sources of their own wrongs, and how they may be remedied. In religious matters, it is necessary that they should be protected from fanaticism, by a competent knowledge of the great machinery of the creation, and of the fact that more misery comes from ignorance and vice, and want of prudence and industry, than from special judgments of providence. Above all, it is necessary that they should have intelligence and physical skill, to enable them in the case of the overthrow of any occupation in which they have been engaged, to find another. In short, no occasion can be found in which they need not the same intelligence which their betters would often arrogate the exclusive claim to; and this being so, it is necessary that the education of the boy should be a fit prelude to that of the man.

What are called accomplishments, may be left to take care of themselves; though, with all respect for the richer classes be it said, there seems no reason why the clown should not dance on the green with his sweetheart, with as little disparagement to any, as the peer or squire at Almack's.

The physical exercises might be confined to cultivating the field or garden; and in many country places, these labours might be made to pay a considerable proportion of their maintenance. Instruction connected with these objects would give an interest in them, such as the most scientific would feel. But to guard against the accidents of fortune, and to teach some degree of ingenuity, some handicraft should also be taught.

In towns the handicrafts should form perhaps a larger portion of the education, though it is questionable whether the school should not, when possible, be placed at the outskirts of the town, where fresh air and exercise may be obtained; and the exercises to which the sedentary occupations of the town artizans indisposes them, should meet with encouragement.

There are some kinds of knowledge on which many others hang; such are history and geography, which, besides, are bound up with one another, so as to render the teaching of either ineffectual without the other. Both these kinds of knowledge have the advantage, that they may be taught by sight, and may so be made the means of raising an art of memory founded upon the basis of association.

Though it is said history may be taught by sight, it is not meant that the spirit of history, that is, the tracing of great consequences from the respective causes, through remote periods of time and under concurring or conflicting contemporary events, can be shown. These are properly the work of ex-

position, which the lecturer or essayist should give after all the landmarks of history have been fixed in the mind. All that is intended is, that the mere facts of history should be detailed in tables, and exhibited at one view; and for this purpose, every sort of event, and the existence of every remarkable character, instead of being crowded into one column, should be separated in appropriate classes, so that the history of each, as well as their concurrent effects, should be traced.

Thus, for example, take the history of Great Britain, commencing at the very earliest period. There should be separate columns for the year of the christian æra, the king's reign, the history of parliaments, the laws relating to property real and personal, the courts of justice, particular classes of law, such as the game laws and others which may be supposed to have a marked influence on the condition of the people,—for the different classes of the people, as aristocracy, middle, and poorer classes,—for the sciences, architecture, inventions, population, revenue, taxation, currency; wars and periods of peace, treaties, the church, and every other leading class of topics; so that by running down its own column, the history of each subject might be traced separately, and in a horizontal direction the contemporaneous history of others. On each subject there should be a parallel column, giving the names of remarkable men connected with it, who flourished at the same period.

In such a table each year should be distinctly marked, and the space allotted to each year should be of the same length, that the fullness or absence of events might be apparent to the eye.

By this process, all the facts of history would be separated from comment, and yet be so arranged as in many cases to supply their own inference. A Useful Knowledge society, which would undertake a great work like this, that should find a place in every school of the land, in all libraries and places of general resort, would indeed deserve the name of public benefactors. No private person could attempt to do so, except at a cost far exceeding the means of most individuals.

When the history of Britain had been displayed in this manner, the history of other countries,—of the whole four quarters of the world,—might be displayed in the same way, ranging Britain with the rest as the prominent and guiding feature;—treating the whole, however, in a more general manner.

Geography would of course be treated, not only in relation to the events of history, but to the productions, climate, religion, population, political government.

Great Britain should be displayed in all its points of view,

and maps of each be given. There are maps showing the state of parliamentary representation; geological characteristics, the population of different classes, the fisheries, the seaports, the post towns, the residences of the magistracy, the courts of justice, every sort of statistical information, should all be shown in a similar manner by the aid of maps.

Thus the present condition of the country would be told, as well as its past history.

All these maps should be constantly referred to during the period of pupillage, so that gradually, in the course of study every part might be treated upon.

Natural history may be taught by the same methods; all the leading genera of animals may be shown in one picture, and in separate pictures the species of each genera. The eye would take in the whole at a glance. All the characteristics possessed in common would be observed at once; the work of tracing the peculiarities of each, would then be a work of less difficulty, though it would require more time. This would lead to an examination of the causes of these peculiarities, and thence the connexions of the different tribes with particular regions of the earth, and the respective climates and other circumstances to which such peculiarities are adapted.

Where natural specimens could be procured, they should be introduced for more special examinations of parts; in order to aid the idea sought to be given by pictures.

Flowers, minerals, earths, colours, forms, architecture, mechanics, might be taught in the same comprehensive manner, in one half of the time, and a whole idea given instead of half a one.

While any subject happened to be under discussion, books giving anecdotes of animals, or connected with the subject, should be introduced to the notice of the pupil, in order to excite his interest in its details.

Chemistry and Mechanics should be taught by experiment and theory, and as early as possible.

Drawing should also be brought in aid, to fix the objects in the mind. Accordingly, before a lecture on a new subject, it would not be amiss to require that all forms should be drawn before the lecture. Two thirds of the work is then accomplished. The image is obtained on which the comment is to be fixed.

In the same way language might be taught in connexion with different subjects. All technical words should be explained; as well as other words used either strictly or metaphorically in connexion with the subject, that may require it. These of course should form a separate glossary, and examples should be given

of the strict and the metaphorical sense. When the lecturer delivered his lecture, the subject would come upon the ears of the pupils as one with which they were half acquainted; and before the course of study had been half gone through, the whole power of the language would be known.

Between the first and second course of any division, the history of the art or science, and the biography of some of its principal promoters and discoverers should be read, and examinations should always take place in history and geography in relation to each subject.

All questions of arithmetic and mathematics, or indeed of any science in relation to another, if the pupil had arrived so far, should be mooted and worked, so that the real affinities of the different branches of knowledge might be riveted in his mind.

But all this manifestly could not be done by one who could teach only from a text-book. His knowledge should be in him, and require only the questioning of the pupil to bring it out, and all questioning should be encouraged. The habit of his mind should be like that of Defoe,—full of detail, true and natural, and therefore most interesting to a child. He should teach as little as possible by book, but by word of mouth, and seize the characters of his pupils, or any chance opportunities, as means of explaining his subject and exciting their observation; and yet all this should be done, not by him of his own accord, but through the curiosity of his pupils first excited. There must be a beginning which must be his, but the working out should be theirs.

The beginning may be accomplished by the Lancasterian method, and so save the teacher all the weariness, which it is difficult for him to conceal, and being shown is the greatest enemy to the cordial confidence which the pupil should be encouraged to give his master. Even the answering of questions should be the work of one another, and the master should be called upon only in the last resort.

From the experiment, as it has been tried in infant schools, the progress which may be made under a regular system, constantly working, may be estimated.

What is needed is that an estimate should be formed of the period that can be afforded to education; and then the course should be arranged so as to fall easily within the prescribed period.

Probably, on each subject, there might be three separate courses, followed after some interval, and each course more full than its predecessor. In this manner, a mean is found between



the waiting till a thing be perfectly learned, and the loss of that novelty which is the greatest attraction to the pupil and aid to the master.

Eight years of instruction. It seems possible, if the teaching be not at the snail's pace of former time, that the elements of all knowledge may be encompassed in that period. Compute 250 working days in a year, at only four intellectual lessons a day, there are 8,000 lessons.

But neither 8,000 lessons nor 80,000 would have sufficed under the olden plan—of mere drilling, without art or part of the master.

History, geography, arithmetic, mathematics, arts and sciences, all taught contemporaneously, in their connexion with each other, would proceed *pari passu*. Who would think of teaching a man to walk on one leg at a time, or with his eyes blindfold; and yet it has been the custom so to teach the young men and boys of Britain.

The general education taught in a comprehensive manner, would be an excellent preparative to a course of technical education, with a view to that profession or calling for which the boy is most fitted. There would not, besides, be the rivalry between the general and professional as at present, arising from the circumstance that when the young man begins to learn the value of knowledge and to feel a pleasure in it, he discovers how little he knows, and then, bent upon the recovery of lost time, probably loses more, in his neglect of studies of immediate value.

Of the professions, the few for which any previous education is prescribed, are the Church, the Law, the Medical;—all the rest are left to chance. A member of parliament, persons filling the various departments of the public service, according to the present usage in such matters, need none.

Without waiting for the establishment of a uniform national system, the government of the country has in its power to elevate the education of the entire people, by requiring in all its servants, from the highest to the lowest, a high degree of qualification, suited to their respective offices.

Thus if all persons employed in the Foreign Office were required to be competently informed on the relations of this country with other countries, their resources, trade, state of population, and their past and present history; all schools pretending to educate gentlemen, would be obliged to give this knowledge.

The same rule, if established with the Home Office, the Board of Trade, the Board of Control, the Treasury, the Exchequer, the Colonial Office, would raise in the country an amount of

suitable knowledge far exceeding the wants of these departments; for everybody calculating upon the chances of life rendering the knowledge at some time or other indispensable, would desire to know enough to enable him thereafter to learn more.

All medical and law appointments in the gift of the Crown and public bodies, ought to be filled by the election of the medical and law professions, for they only can judge of the competence of such persons; subject however to the control of the authorities with whom rests the superintendence of the departments in which such appointments are to be made.

The rule being applied in every department of the State, its special services would employ the most picked men.

If a man were instructed in all the branches of knowledge directly or remotely concerning his own profession, he would be a very well informed man; and the more minute and accurate his knowledge, the less he would be prejudiced, and the more apt to appreciate the pursuits of other men.

The previous education of youth should consist of the elements of all kinds of knowledge, taught first in outline, and then gone over and over again, each time filling up the great outline by minuter detail. During all this period it would be impossible to convey to the pupil a conception of the spirit or principles of his knowledge, in their force, nor in some cases to give even a complete knowledge of detail. It is enough for the pupil to have an extended view of the boundaries and relations of the several kingdoms of learning, so that in his after progress he may understand the exact force and character of the casual information which circumstances bring to his mind.

But after this stage, he should be devoted to his professional studies, and then he should learn all that concerns them in every bearing. Here his learning should be most exact and comprehensive. Taught in outline as before, but also taught by analysis and clinically; rather going back from the present time to the past. The Chronology, the History, the Geography, the Arithmetic, the Chemistry, Political Economy, or Statistics, and every other science connected with the pursuit, should be brought to bear upon it in illustration. The doctrine of evidence, moral and mathematical, should be rigorously employed. Every appliance formerly used in the general education should be engaged; nor should the pupil enter upon the practical learning or apprenticeship of his profession, till he has gone through such a course.

The present practice is sufficiently absurd. A boy is thrown into a lawyer's office, or apothecary's shop, at an age when his faculties are but slightly developed, without any previous

acquaintance with the knowledge connected with his profession. He must grope on, with such aids as the limited practice of his master may happen to furnish; and after proceeding through a desultory course of no learning, commence his studies at the end of his apprenticeship.

The distaste that comes over many youths after the novelty of their pursuit is worn off, arises from the want of interest which a want of understanding causes. They have not the key to the comprehension of isolated practices; or are plunged into the hurry of business, and forbidden the time or the opportunity of learning. It is true, that the law apprentice does not as formerly sweep his master's office, nor does the medical one merely clean bottles; but as regards the latter, it is something sufficiently characteristic of clumsiness, that the youth who has not attended lectures should have the care of the physical ailments of the poor put under his charge.

The masters of these youths cannot teach; they have not time, nor the peculiar ability. And if they give instruction, it is by snatches and superficially, and may chance to be of mischievous effect from the ignorance of the pupil how to apply it in special cases.

Every trade or business has its peculiar knowledge, the whole of which might be taught in one or two years. The practice is another affair, which can be acquired by practice only; and this is the only learning effectually taught by an apprenticeship. How many men have been ruined, by being plunged into circumstances for which their previous teaching had not prepared them.

The same want of professional study followed by professional practice, runs through all the occupations of society. Among all the schools that have been founded by bankrupts from want of other openings, it is wonderful that none has been established to teach others, by their own errors and experience, what in their pursuits it is most necessary to know. In this age of novel-writing, which casts over the matter of a sermon the interest of a tale, the up-goings and down-goings and strugglings of men in trade might supply new matters to an exhausted field. But there are practical things which can only be learnt by the eye, and which the busy man cannot teach. It is not meant to impugn the present method of practically teaching business, which is excellent, were it preluded by comprehensive instruction. All that is contended for is, that the youth of fourteen or fifteen who has spent the last eight or ten years of his life in the general routine of a school, ought to undergo a special course of instruction in his professional pursuits for one or two years more, before he entered the

merchant's counting-house, the surgery, or the attorney's office. The aptitude of the youth, already tested by a course of instruction which put in motion every faculty, would undergo a yet severer trial; and the cost and disappointment of bringing up a young man to a business, in which he must fail from lack of fitness, would be spared. But there is an evil yet worse, the bringing a very young person into contact with the vices of a great city, before his interest in his professional pursuits has been kindled by suitable knowledge. This pre-occupation of the mind and feelings would do more for morality, than all the lessons of prudence which kind parents attempt to inculcate. Let him acquire an interest in his profession, and he is comparatively out of danger.

The schools for teaching these different arts would naturally form museums of all inventions in machinery, and libraries of books proper to the objects of such arts. For want of such means of preservation many useful inventions are lost, and practices highly successful are confined to a small district. In agriculture this has been a chief cause of backwardness, though by means of agricultural publications the evil is becoming less.

The laws too, specially relating to any department, would of course form a part of the ordinary process of instruction; and the pupils should, under the inspection of the professors, record new laws, register new inventions, and keep a *catalogue raisonnée* of all books, published in former times as well as recently. Is there an art, a business, or profession, which might not be spiritualized by such a course of enlightenment? The absurdity of men accounting themselves the sole geniuses, because they can write poetry, or prose, would be superseded by genius of every order of utility. Solid and practical learning would be an every-day acquisition; and the fear which some men have that cheap literature will destroy the character of literary works, would be answered by the enrichment of these periodicals with such every-day knowledge. What had been learned at these schools, would be kept alive by the aid of such publications; which again, would form organs of correspondence and intelligence to all engaged in the profession, trade, or business. So far from becoming weak and feeble, our literature would be strong, energetic, solid, and useful; and in its new character of periodicity, would have the great advantage of rapidly communicating information which would come too late in the next edition of a heavy quarto.

While the schools for boys have been tending towards a more solid system of instruction, those for females have gone in the

contrary direction, and sought to render them more accomplished in that which is merely ornamental.

The moral condition of a people depends in a higher degree upon the state of cultivation among females than is commonly imagined. Their influence over their husbands and children for good and evil is in all cases great, and it is fit that such influence should be directed to good.

This principle has been far too much lost sight of in the Education of females, and they have been trained, as it were, for one exclusive purpose, to be got rid of in marriage; and not as partners with man in a common lot.

When the attraction of a young face, and the novelty of youthful manners have worn off, there is left little of sympathy with the pursuits of the husband, or acquaintance with those departments of knowledge on which his habits and occupations naturally lead him to converse. The dry utterance of scientific terms, without a knowledge of the uses and application of the science, or the details of history without the knowledge of its spirit, is to all valueless; and the deficiency is to be supplied only by extensive and various reading. But this is precisely the point where the Education of females fails; they are not taught to read, to analyse and digest the matter read, whether it be novel, history, biography. If, instead of abandoning all or nearly all mental occupation at the period of leaving school, a course of study calculated to develope and keep in exercise the reflective faculties were commenced and perseveringly continued for the next four or five years, the wife would have some share of the attractions of the intelligent conversationist, and without trespassing on the field of the dry, dull, political, or scientific discourse of the professional person, might supply in actual life some portion of the imaginative and amusing, by which its real cares are driven away. A stupid man would in such cases gain some vivacity, and discover powers that had been enfeebled by the constant reference of his thoughts to mercantile or professional objects.

What this course of study should be for people of means, might be easily determined. When a governess employed to teach the mechanics of education has been dismissed, let a lady of refined taste and good judgment be engaged to carry on a course of reading with the pupil; carefully analysing every work read; applying all knowledge applicable, and examining new views referred to by the author, and noting fresh facts, taking care throughout all these readings to lead the pupil to talk on the subject, and point out the passages illustrative of her views.

It is one of the especial merits of the system sketched in one of the publications at the head of this article, that it provides for the boy a course of reading; a thing lost sight of in mere pedagogist schools. What is there done for boys, might be done for women of all ranks and conditions; and who can tell the effects on national intelligence.

Added to this, the habit of reading well aloud, should be encouraged both to discover whether the meaning be fully understood by the reader, and to produce an accomplishment of more extensive utility to others than even music, that of presenting the views of an author by reading, so as to give them all their force. How few men or women can read. How few therefore are good orators, or good conversationists, or even good writers. How great a blessing to a sick and languid person, too ill to exert his own powers, is that of having a companion who can so read as to bring the pictures presented by written composition, dramatically to the mind's eye. With such powers at any time there need be no lack of society; the very best authors may be brought as it were into personal converse, and the family stock of information constantly relieved of its barrenness.

But the importance of female Education is great, on account of the share of mothers in forming the infant mind. The very young acquire by a sort of involuntary imitation, the language the habits, failings and manners of their parents, especially of the mother, with whom they most constantly associate; and the labours of the school are more or less lightened in all things, according to the progress previously made during the period of involuntary infant learning.

One cause of the defective Education of women has been the practice of educating them separately, boys with boys, girls with girls. The very evil sought to be avoided by such means is commonly produced; and other evils superinduced. The boys become bearish and rude, and lose one half of the stimulus to exertion; the girls by being trained separately, as for a separate vocation, become different beings suited for different objects, instead of being adapted for their respective shares in the same pursuits. The chief evil sought to be avoided would probably never arise; for it is notorious that fewer marriages, and those more slowly, take place between the inhabitants of the same town, than with strangers. A more constant intercourse, by opening the characters and foibles of each, would perhaps do more for the Malthusian principle of self-restraint than the present system; since it is very questionable whether the marriage-trap system of the day, which confines each sex to

separate schools, does not excite by the seclusion, the ideas which in the other case would have found less encouragement. The world has fallen into the usual mistake, of running into an opposite evil of greater magnitude, because it had not skill to apply a remedy for that it would avoid. In Scotland, the practice not very long ago existed, of educating both boys and girls together; and very grave and proper personages of both sexes, have thought the practice favourable to the development and improvement of character.

The same course might be adopted with females as with boys, with regard to their peculiar destinations. After their early education had been gone through, they might go to a school where the duties of a female should be taught. The virtues of economy in a housewife, and ready and intelligent obedience in the servant, are prized by all who have found them; and it may be safely said that except in some remarkable cases of natural shrewdness and good disposition, they have seldom been acquired without some preliminary teaching. How much money may be saved, and comfort, priceless, obtained by such means. The proverb says, 'When poverty comes in at the door love goes out at the window.' Every faculty which lessens poverty, increases love;—and still more is it increased by the consciousness on all sides, that all which intelligent industry could do, has been accomplished.

All this is not done by mere stitching and sewing, the charity-school system, nor by the nicknackery of schools of accomplishment. Admirable system, which expends a fortune to produce a creature valueless without a fortune! Better that all now spent in useless education should be saved as a portion for a useful creature, who would be desirable to a man of her own condition. Happily the petty frivolousness of aristocratic distinction, is being burnt out by poverty; and men of sense will come to see these things. The trials of emigration have already disclosed to many unfortunate husbands, compelled to seek their fortunes in another land and turn all hands to work, the uselessness of acquisitions on which youth and thought and money had been spent, to the production of a creature who can bear up against no adverse change of circumstance.

Let any one of the thousand revolutions come, by which the conditions of classes and individuals are changed;—whether they come of state revolution, or change of laws, or the fluctuations of trade, or the national fits of mania which by turns affect all,—how melancholy is the condition of most men or women, high or low. Of what value is all their intelligence without industry, when planted on an unknown or desert land? Yet

these revolutions, and changes, and exiles are going on; and Education is still but little different from what it was,—useless for its purposes, often thwarting and marring them, and all to be undone like Penelope's web. Did not man possess an energy that often rises with the increase of misery, how could he grapple with his fortunes; and how many are overthrown by them and destroyed. Could the history of emigration be always painted by such a one as the author of *Lawrie Todd*, a tale of misery would be told which the good easy people who are senators and statesmen, and force on these things, little dream of.

Did the system of Education fit men and women for the common accidents of fortune in the present state of society at home, it would perhaps be blameless; but it fails there too. The insulated attempts by different energetic persons to set an example of a better system, are cramped by the prejudices and jealousies of those who fared worse in their own bringing up.

Such persons will point triumphantly to the general state of intelligence as an answer to these views. It is wonderful; but still more apparent than real;—less extensive than it seems. The intelligence which all men must have who mix largely with the world, and are possessed of the current coin of conversation issued daily through that mighty mint the press, is mistaken for well-grounded information. But such is not the test. Let the speeches of senators, the judgments of lawyers, the disquisitions of many of the organs of the press, the ignorance of the magistracy, but above all every man's private experience, be adduced, and there are marks of the counterfeit and the seeming in every one.

From the divided state of public feeling upon the subject of Education, it is scarcely possible to hope for general concurrence in any plan. The difficulty will however be removed in some degree by the example of Prussia; and no small good has been done by Mr. Roebuck, in bringing forward his plan founded upon that of Prussia, though his movement should have stirred up inquiry only. The matter is thus brought to issue, and the arrangements proposed may be curtailed or enlarged, as the understanding of Education as a whole, shall become more general.

It must be borne in mind that there are difficulties in England, which do not exist in Prussia. The latter government is a despotism, though a mild one; and notwithstanding the necessity of attending to the inclinations of the people, or at all events not acting against them, decrees proceed from one



mind, acting upon one machinery in subordination to the general government.

This is not so with the English. The people and the government have not been agreed. Hence the latter has been distrusted, and what good has been done, came through the independent energies of the people. From this have issued manifold ways of Education, and manifold means; all the special cares of parties, who will struggle for them as for vested rights.

Besides, the people of England have not been inured to combination; and their exclusive local governments have not come in to supply the deficiency. So that the whole machinery for working a National Education is to be erected; and before that, a great deal must be pulled down.

The prejudices of many persons will war against union. The aping of gentility will cause the tradesman to shun the common school; or from the prevalent subserviency, matters will be arranged for the benefit of the better classes, and be made subject of patronage.

The Church has its influence, and is now in particular contest with liberality. The struggle for its improvement will therefore be a present obstacle to success.

Of means, there doubtless is an abundance, if the people can get hold of them. Let active bodies, in every county, ascertain what are the funds at the disposal of the public for the purposes of education. There have been some twenty-five huge Reports of Charity Commissioners. Let these be sifted, that the public may know what are the resources. The whole should be brought into hotchpot. The godly persons who destined these funds for so good an object, may be supposed to have done so because no public means existed. Their anxiety was to make a beginning; and if they could now rise up, they would rejoice that their humble efforts, thwarted as they have been by corruption, have produced such excellent fruits. But can it be doubted, that they would also rejoice, that there was now an opportunity of putting their contributions into a general fund, by which all the nation might reap a common advantage?

Let but these funds be turned to use, and the people would have little to contribute.

Then to make the schools popular; all who contributed should vote for the committee overlooking the school, which should be removable in part every year. They should be elected for this purpose and no other, on account of their special fitness.

As in Prussia, there should be a general board superintending

the whole, and communicating with all. At first the schools would be confined to the very poor, and a fierce rivalry would arise between the private establishments on mercantile principles, and the public; so that even a better guarantee would be found in this opposition for the successful working than the best superintendence could afford, provided the control of the schools in the provinces were placed in the hands of the persons immediately interested.

Infant schools, boys and girls schools, the technical and professional schools, coupled with the Mechanics Institutes and Reading Societies, would form the series of public scholastic education-machinery; and the legislature has only to provide this machinery in the simplest form at the outset, with the sort of control above indicated, to enable the active public to extend it in the best manner. Can such an effort be expected from the men, who voted 20,000*l.* for this purpose, while they voted 1,000,000*l.* for the tithes arrears of Ireland, and 20,000,000*l.* for the slave-owners of the West Indies?

One beginning has been made in Ireland in this work; and the archbishop of Dublin has earned immortal fame, for popularising for the use of the Irish peasant, the truths of political economy, which are unknown to nine-tenths of the enlightened classes of England. Such moral boldness is worthy of all praise. Can it be hoped that England will ever be helped so effectually?

ART. IV.—1. *Russell's Modern History of Europe*. New Edition. With a Continuation to 1832.—London; Longman. 6 vols. 8vo. 1833.

2. *Public Life of the Right Honourable George Canning*. By Augustus Granville Stapleton, Esq.—London; Longman. 3 vols. 8vo.

**T**HE minds of all men in merry England, as also in Scotland and the Emerald Isle, have been and still are in such a state of internal excitement, that foreign affairs seemed to have passed comparatively into the shade, until the gallantry of Admiral Napier occasioned something like a sensation beyond the limits of the Stock Exchange. Nevertheless a rapid survey of the influence exercised by this country on Europe and its dependencies in times gone by, as well as of its present position with respect to the great human family, cannot be altogether without attractions for even the most superficial observers.

It is curious and instructive to look back upon the cloud of mysterious fable, which at the commencement of the mediæval

æra, separated these islands from the rest of the Roman world. Procopius describes Brittia or Britannia, as divided into two portions by a long wall; on its eastern side, the fields were fertile and cultivated, being the possessions of a very numerous population; while the western coasts were overrun with serpents, oppressed with a pestilential atmosphere, and peopled with the spirits of the departed. Thither from the Gallic shores, fishermen were supposed to transport the spectres, who summoned them at midnight; and these imitators of Charon were excused from taxation, on the score of their extraordinary functions. [*Procop. apud Byzant. Corp.*] There is nothing surprising therefore in Virgil, more than five hundred years before, having mentioned us as the

‘penitùs toto divisos orbe Britannos.’

During the seventh, eighth, and ninth centuries, religious zeal in some degree tore asunder the veil of separation between the continental and British shores. Missionaries from Rome promulgated what they knew of christianity among our rude ancestors; and Winifred, an illustrious Englishman, afterwards called Boniface, catching the holy fire, carried it into the forests of Germany. Throughout the bishopric of Mentz, established for his sake by Gregory the Second, as well as in Bavaria, Franconia, Thuringia, Saxony, and Frisia, his own aspiring ardour or that of his followers impressed the stamp of a new religion, and extended such moral culture and influence, as might be expected from monks and monasteries. These exertions wearing however an individual rather than a national character, the circumstance remained unaltered, that while the names of many Saxon and Irish worthies were justly venerated on the continent, nothing could be more insignificant than the external relations of their native kingdoms. Egbert, who concentrated in his single person the dominions of the heptarchy, received his education at the court of Charlemagne; but it has been justly observed, that although England and Ireland still maintained a precedence in learning over France, the natural good understanding of Charles the Great was of far more value than the lessons he received from Alcuin. Alfred and Athelstan improved their intercourse with foreigners; they fostered commerce, and such a maritime force as proved an earnest of the future fame of their country; but it was not until Danish tyranny, and a subsequent restoration of the Anglo-Saxon dynasty, were succeeded by the Norman conqueror, that the British sceptre acquired any considerable importance in the estimation of continental potentates.

Under William and his successors, to the period of our third Edward's contest for the crown of France, the union of continental and insular dominions, the struggles between the ecclesiastical and civil powers, causing as they did incessant intercourse between Italy or Avignon and the Court of London, the love of adventure arising from the crusades, and the general advancement of trade, literature, and science, all emblazoned and illustrated by military renown, enabled our native country to act a distinguished part upon the field of Europe. Her glory, which reached its highest point in the fourteenth and beginning of the fifteenth centuries, grew pale indeed during the disastrous wars of the Roses; but it was to revive and continue with a less dazzling but a more permanent vigour, from the commencement of the age of the Reformation. In that grand drama, when the political firmament glowed with the star of the House of Austria, the chivalry of Paris and Milan, and the then fearful magnificence of the Crescent, our Henry the Eighth held the balance of Europe in his hands. An abler or more honest minister than Wolsey, might have done much for the improvement and consolidation of British interests, and not less towards averting many of the evils of that period, even from other kingdoms. But although the balance of power, as it is termed, had now engaged universal attention, it was long before our foreign politics assumed the regularity of system. It required such an administration as afterwards surrounded the throne of Elizabeth, to take a comprehensive view of the civilized world, and humble the growing leviathan, who was ready and willing to crush every power but his own.

Philip the Second was only in his thirtieth year, when he received from his father the sovereignties of Spain, the two Sicilies, Milan, Upper Burgundy, and the Netherlands, in the old hemisphere; besides Mexico and Peru, with their gold and silver mines, in the new. His uncle Ferdinand was Emperor of Germany, King of Bohemia and Hungary, and Prince of the Austrian territories. The four greatest commanders of their day, Don John, Alexander Farnese, Emanuel Philibert, and the Duke of Alva, were in the service of Philip. His matrimonial crown of England and Ireland passed away on the death of Mary; but he was subsequently enabled to seize and retain a more solid possession in the sceptre of Portugal and the Algarves. His fleets for years rode triumphantly over every sea; the weakness of the French royal family gave him irresistible influence from the Pyrenees to Picardy; the northern nations were torn by civil commotions; while the Turkish sultans seemed sunk in

the luxuries of their seraglios. His character, in really contributing to his ultimate mortification, appeared at the time only to render his power more terrible. Wrapped in the darkness of superstition towards God, and in the reserve of a gloomy despotism towards man, he was the evil genius of an age which trembled at the name of Spaniard. Elizabeth was the single sovereign, who understood the true policy to be adopted, and whose conduct was equal to her perceptions. She annihilated the French hold upon Scotland, and defeated the invincible Armada. Protecting Protestantism in France and the Netherlands, she materially assisted in the enthronement of Henry the Fourth, and the establishment of Dutch independence. Spain with all her wealth and advantages was thoroughly baffled, and became stranded like one of her own unwieldy galleons; while humbler nations, on whom she had disdained to smile, shot rapidly ahead, in the full activity of their strength, and the vigour of their developed resources.

To the death of the monarch of the Escorial succeeded the period of the Thirty Years War; during which, England, as to foreign affairs, played a passive, and rather ignoble part. The Stuarts indeed contributed little to the honour of either their native or adopted country; and the three kingdoms were far too much absorbed in their internal concerns, to pay any prominent attention to those of their neighbours. The quarrels for the duchies of Juliers and Mantua, and the misfortunes of the Palatine, were allowed to take their course; while Cardinal Richelieu renewed the designs of Henry the Great, and rendered France the most powerful state in Europe. This extraordinary man died three years before the peace of Westphalia, in which the results of his policy became apparent. Mazarin eleven years afterwards, in 1659, concluded in person the treaty of the Isle des Faisans. By the former of these pacifications, Louis the Fourteenth enlarged his inheritance by acquiring the three bishoprics of Metz, Toul, and Verdun, the city of Brisac and its dependencies, the territory of Suntgaw, the two Alsatian landgraviates, and the right to keep a garrison in Philipsburg; by the latter, the counties of Rousillon and Artois were transferred to him; and through his marriage with the Infanta Maria Theresa of Spain, a foundation was laid for that grandeur of the House of Bourbon, which after torrents of blood had been shed, extended itself from Flanders to the Atlantic, and over the fairest portions of America.

During the interval however between 1648 and 1659, such events had occurred in England as fixed upon her the eyes of the whole world. The triumph of her parliament, the trial and

execution of Charles, the success of the independents, and the bold advances of Oliver Cromwell towards sovereign power, amazed and appalled the other states of Europe. France herself, partly from gross abuses in her government, partly through the intrigues of Cardinal de Retz the famous coadjutor of Paris, and partly from a real sympathy of sentiment, was exhibiting contests similar in more than one of their features to our own civil wars. But when the crafty Mazarin had suppressed disturbances, and consolidated his influence by profligacy, he at once perceived that to England alone he could look, for turning the scale of fortune against Condé and Spain, in favour of Turenne and Louis. Accordingly he sacrificed to the pride of the Protector, flattered him with magnificent offers, and succeeded in securing his assistance. The harbour of Dunkirk was blockaded by a British fleet, and six thousand English veterans fought on shore under the banners of the French Marshal. The victory was chiefly achieved by their valour, and the fortress surrendered in ten days. This acquisition, which was appropriated to England, as Cromwell had stipulated, might or might not have been intrinsically valuable; yet none can deny that it was at least a trophy of the Protectorate, although doomed, as is too well known, to sink under the meanness of the Restoration.

That restoration humbled the respectability of England, both at home and abroad. The Dutch war overwhelmed the court with infamy. De Ruyter blockaded the Thames; Van Ghent reduced Sheerness, broke the boom in the Medway, and burnt our ships at Chatham; Portsmouth and Plymouth were insulted, and a hostile navy swept the channel. Neither the peace of Breda in June 1667, nor that of the following May at Aix la Chapelle produced by the triple alliance, could effectually bridle the ambition of the Grand Monarque. It was manifest that the spirit of aggression and aggrandizement had passed from Madrid and Vienna to the banks of the Seine. France, by the last-mentioned treaty, was permitted to acquire Charle-roi, Ath, Tournai, Furnes, Armentieres, Courtrai, Douai, and Lisle, which, giving exercise to the genius of Vauban, left a slender barrier to the United Provinces. The losses she had really sustained were forgotten amidst the flatteries of courtiers, and the rejoicings at Paris; whose perjured monarch, with peace on his lips, had never ceased from meditating war. Perceiving that the British islands lay prostrate under the infamous Cabal, he was resolved to conquer the Low Countries. Charles the Second and the king of Sweden were detached from the triple league. The march of 120,000 men against the frontiers

of the devoted republic, came, as Sir William Temple energetically exclaimed, 'like a peal of thunder from a cloudless sky.' Royal treachery then yawned for its prey; more than forty fortresses had fallen in Gueldres, Utrecht and Overysse; Amsterdam was within a few miles; the fleets of the confederated potentates, exceeding 100 sail, were hovering on the coast; when a young hero, destined, as William the Third, to baffle the Bourbon and supplant the Stuarts, was called to the helm of the state, and assumed the stadtholdership of his fathers. It was during the subsequent contest, that the national spirit of England broke forth in magnanimous contrast to the knavery and pusillanimity of its government. Battles the most bloody, yet indecisive, crimsoned the land and sea, under leaders of immortal fame; although so oppressed for a time seemed the powers of liberty and resistance, that Louis, after squandering his treasures and exhausting his country, contrived to dictate in 1678 the terms of a treaty at Nimeguen. In exchange for Charleroi, Biche, Courtrai, Oudenarde, Ath, Ghent, and Limbourg, surrendered to Spain, he retained Cambrai, Aves, St. Omer, Valenciennes, Tournai, Ypres, Bouchain, Cassel, Charlemont, and other places, besides the very important territories of Franche Comté or Upper Burgundy. In vain the people of England murmured; their sovereign was pensioned, and their patriots bribed. Perhaps Lord Russel stood alone in an unreformed House of Commons, when he said to Barillon, that 'he should be sorry to have any communication with men who could be gained by money.' In fact the whole foreign policy of Charles the Second was most consistently conservative; presenting, as it did, the very feculence of selfishness, a mass of vileness and corruption the compost of a venal throne, a licentious court, a proud profligate aristocracy, a mercenary ministry, and a prostituted parliament. If there is a single palliative to this picture, it can only be found in the independence of Portugal, so tardily acknowledged by Spain at the peace of Lisbon, concluded on the 13th of February 1668 through the mediation of an ambassador from London.

The aspirations of France and her ambitious master were soon higher than ever. In giving law to Spain, Holland, and the Empire, Louis had greatly increased his dominions. His diplomatic intrigues were as irresistible as his armies. England was lulled into acquiescence by crumbs from his table. As a nation she 'neither muttered, nor peeped, nor moved a wing,' while he was maintaining his forces upon an undiminished scale, domineering over his neighbours, seizing Strasbourg, demanding Alost, occupying Casal, fortifying Huningen, blockading and

then grasping Luxembourg and Kehl, menacing Cadiz, and humbling the Genoese. She allowed him to launch 100 ships of the line and enlist 60,000 seamen, amidst broad hints from the Hague, and fearful apprehensions for the Baltic and the Mediterranean. True it was, that Algiers was twice bombarded, that the seas were cleared of pirates, and numerous captives released from the dungeons of Barbary; but this was too flimsy a veil to hide the cloven foot. On a former occasion he had ostentatiously observed to his envoy D'Estrades, 'The king of England may know the amount of my forces, but he knows not the elevation of my mind; everything appears to me contemptible, in comparison of glory;'—or rather, as he should have said, in comparison of ambition. For thus it is, that 'our passions forge our fetters;' and human nature, deceiving others and deceived herself, dances like a maniac in her chains.

Patience however the most abject, may be exhausted; and disputes as to the electorates of Cologne and the Palatinate at length evoked an extensive confederacy, at Augsburg in 1687, against the universal despot. He had for a long time insulted Germany by the re-establishment of certain chanceries at Metz and Brisac, and latterly by setting up the claims of his creature Cardinal Furstembourg in opposition to those of the Emperor. Leopold caught the alarm, and communicated it to Spain, Holland, Denmark, Sweden, and Savoy. England also threw her sword into the scale, though paralyzed by the domestic factions consequent upon her recent revolution. For once, and almost for the first and last time, she put forth her energies in the direction of her own and the general interests of mankind. The principle which had expelled a legitimate tyrant was at stake, and there is no doubt that the fugitive James would have been re-enthroned upon the ruins of liberty, had not the struggles of this memorable league produced the peace of Ryswick. By it, William was acknowledged as king of England, Scotland, and Ireland, with all their dependencies; the usurpations of the chambers of reunion were annulled; Pignerol was restored to Savoy; Freyburg in the Brisgau, Brisac, and Philipsburg were given up to Austria; Kehl to the margrave of Baden; Luxembourg, Chimay, Charleroi, Mons, Ath, Courtrai, were again rescued from France, whose only indemnifications were Saarlouis, Longwy, and Landau; and the duchies of Lorraine and Bar were surrendered to Leopold Charles, the son of the hero of Vienna, as the fair inheritance of his ancestors. Yet the whole arrangement, although it gave Britain a breathing-time, so that its national debt was reduced from 21,500,000*l.* to 16,000,000*l.*,



was little more than an armistice, a delusive calm. So indecisive was its character, that the great question of the Spanish succession was altogether omitted. In the mean time however, induced by his comprehensive survey of the future, William concluded the two treaties of partition with France, and mediated the peace of Carlowitz, which crippled Turkey, and left the Emperor at liberty to prepare himself for a more important contest.

By the first of the partition treaties, it was agreed, that Joseph of Bavaria, grandson of the younger sister of the king of Spain, should become successor to that monarch; a scheme disconcerted by the prince's sudden decease. Had he survived, his splendid inheritance was to have been curtailed by the assignment of the two Sicilies, the marquisate of Final, and the Tuscan ports, together with Guipuscoa, and a section of the Pyrenean frontier, to the dauphin; and of the Milanese, to the archduke Charles. By the second treaty, the archduke Charles, as grandson of the infant Maria, was to succeed the Spanish branch of the house of Hapsburg in Spain and her American dominions, as well as in the sovereignty of the Netherlands; to the dauphin were allotted the same territories as before, with the addition of Lorraine, whose prince was to be indemnified with the dukedom of Milan. 'To prevent the conjunction of Spain and the Imperial crown in the person of one potentate, it was provided that in case of the death of the king of the Romans, the archduke Charles, if raised to that dignity, should not succeed to the Spanish throne. It was also stipulated that no dauphin or king of France should ever wear the crown of Spain.' [*Russell, Mod. Europe.* vol. iii. p. 546.] The childless Charles at Madrid had signed a will declaring the Bavarian prince his sole heir; and on that youth's decease, had subscribed another, under advice from Pope Innocent the Twelfth, in favour of Philip of Anjou, second son of the dauphin, as grandson of Maria Theresa his eldest daughter, on condition that Spain should remain an undivided and independent monarchy. Louis the Fourteenth whose engagements of renunciation were as cobwebs in the way of his wishes, accepted the testamentary disposition in favour of his grandson; and even William seemed disposed to be satisfied, if Philip would only renounce his title to the crown of France. Yet without such renunciation, he was compelled to acquiesce; and it is even supposed that the war, so far as Great Britain was concerned, might have been altogether avoided, had not the tyrant of Versailles, in the exultation of his vanity, acknowledged the pretender, and thus roused as by an electric shock the indignation of the English.

The latter had felt dissatisfied, until this event, and upon very sufficient grounds, with the second partition; jealousies respecting the Caledonian colony at Darien, and its final ruin in consequence, were nearly precipitating Scotland into open rebellion; the death of the Duke of Gloucester pressed more closely on public attention the settlement of the Protestant Succession; but there can be little doubt, that the arrogance of Louis, combined with his boundless ambition, contributed more than all other circumstances to form the grand alliance. The avowed objects of this confederacy between the Emperor, William the Third, and the States, concluded on the 27th August 1701, were 'to procure satisfaction in regard to the Spanish succession, obtain security to the English and Dutch for their dominions and commerce, prevent the union of the monarchies of France and Spain, and hinder the French from possessing the Spanish dominions in America.' William had previously assisted to rescue Charles the Twelfth of Sweden from Danish rapacity; and it was chiefly through his good offices, that the two contending powers, together with Holstein, effected the pacification of Travendahl in the last year of the seventeenth century.

During the subsequent conflict, Louis the fourteenth, in 1706, unable to engage the king of Sweden in his cause, and broken down by the victories of Marlborough, professed himself ready to concede the chief points at issue. 'He offered all the Spanish dominions in Italy to the archduke Charles; to the States General a barrier in the Netherlands; and to the duke of Savoy a compensation for his injuries. In return for such liberal concessions, he demanded, that the electorate of Bavaria should be restored to its native prince, and that Philip should be allowed to possess Spain and her American dominions.' It has been justly supposed that the confederates, by concluding a peace on these terms and others which they might have dictated, particularly for the perpetual disjunction of the crowns of France and Spain, would have obtained the chief objects of the grand alliance; yet was the offer, though surely a sufficient foundation for entering upon a negotiation, wantonly rejected; and Europe was destined to remain for many years longer, a scene of confusion, carnage, and distress, in order to gratify the passions of a few ambitious and selfish men. The duke of Marlborough was fond of the emoluments, as well as the glory, of war; prince Eugene, besides being under the influence of similar motives, was actuated by an implacable resentment against France; and the pensionary Heinsius, who led the councils of the Dutch republic, yielded to his own

interest while he acted in subserviency to those two generals. These were the three great springs that now directed the grand alliance; and the motion communicated by their joint impulse, was accelerated by the torrent of victory. The views of the allies extended with their success. Having humbled France, they aspired to the conquest of Spain. It was accordingly resolved that no peace should be made with the house of Bourbon, while a prince of that family continued to fill the Spanish throne. 'Whilst we reprobate this ambitious scheme; considered in a general view, we find particular occasion to lament the fate of Great Britain in the midst of triumphs that have been so greatly extolled. Victories that bring honour to the arms may bring shame to the councils of a nation. To win a battle, to take a town, is the glory of a commander, and of an army. Of this glory we had a very large share. But the wisdom of a nation is to proportion the ends she proposes to her interest and her strength. Great Britain neither expected nor desired any thing beyond what she might have obtained by adhering to the first principles of the grand alliance. But she was hurried into those of the new plan, by the causes already stated, by the prejudices and rashness of party, by the influence which the success of the confederate arms gave to our ministers Godolphin and Marlborough, and by the popularity which they gave to the war itself. The people were unwilling to put an end to a contest, that afforded so many occasions of public rejoicing, and so wide a range for national pride.'—*Russell*, vol. iv. pp. 41—3.

But if the results of Blenheim and Ramilies would have brought Louis to such terms as might have honourably concluded the war, the subsequent 'defeat at Oudenarde, the loss of Lisle, a famine in France, the consequent failure of resources, the discontents of the people, and a want of harmony among the servants of the crown, induced him to offer terms of peace, adequate to the success of his enemies, and suitable to the melancholy situation of his own affairs. He agreed to yield the whole Spanish monarchy to the house of Austria, without any equivalent; to cede to the emperor his conquests on the Upper Rhine; to give Furnes, Ypres, Menin, Tournai, Lisle, Condé, and Maubeuge, as a barrier to Holland; to acknowledge the elector of Brandenburg as king of Prussia; the Duke of Hanover as ninth elector of the empire; to own the right of queen Anne to the British throne; to remove the pretender from the dominions of France; to acknowledge the succession to the crown of Great Britain in the protestant line; to restore every thing required to the duke of Savoy; and to agree to the

cessions made to the king of Portugal by his treaty with the confederates.' [*Russell*, iv. p. 61.] But these proposals met with no better success than the former, and for the same reasons. They were afterwards renewed at Gertruydenburg, with the additions, that he should 'not only give up the Spanish monarchy without an equivalent, and acknowledge Charles the Third as king of Spain, but pay a subsidy of a million of livres a month, till his grandson Philip should be expelled. He even relinquished Alsace to the emperor; and as a security for the performance of the articles of the treaty, he engaged to deliver the fortified towns of French Flanders, yet in his possession, into the hands of the allies. But the haughtiness of the States, to whom prince Eugene and the duke of Marlborough, secure of the controlling influence of the pensionary Heinsius, had persuaded the emperor and the queen of England to commit the whole management of the negotiation, encouraged their deputies to rise in their demands, in proportion as the plenipotentiaries of France advanced in their concessions. They went so far as to insist that Louis, instead of paying a subsidy towards the war against Philip, should assist the confederates with all his forces to drive his grandson from the Spanish throne. Impossible as it was for the French monarch to submit to so humiliating a requisition, the conferences were not broken off, although idly protracted.'—*Russell*, iv. pp. 72—3.

At length however, the popularity of both Marlborough and Godolphin beginning to decline, the tories took advantage of the change of humour in the nation, and represented the church and monarchy in danger from the whigs. Nothing but disgust is excited by the political squabbles which terminated in the disgraceful peace of Utrecht. The sickly sentimentalism or the matchless audacity of Mrs. Morley and Mrs. Freeman (the canting and self-imposed nicknames of the queen and the duchess of Marlborough), the impudence of Sacheverell, the folly of the ministry, the tricks of Harley and the knavery of Bolingbroke, the trimming of the whigs and the treachery of the tories, made every indignant patriot burn and blush at the degradation of their country. Cessation from war was, no doubt, necessary; but that all the national interests were sacrificed according to custom, is equally plain. The Queen hypocritically intimated to the two Houses, that notwithstanding the acts of those 'who delighted in war,' both a time and place for treating were fixed upon. Gualtier, a French spy, had been the first person employed to signify at Versailles the inclinations of the new ministers for peace, and that for the security of their power and places they were ready to betray Great

Britain. Certain it was, that the elevation of the archduke to the imperial throne, through the death of his brother, had made an immense alteration in the political state of Europe; and this was eagerly caught at, to varnish over the meanness and perfidy of the negotiators. The famous or rather infamous pacification of Utrecht, signed on the 31st of March 1713, stipulated that Philip the Fifth, as king of Spain, should renounce all right to the crown of France, and that the heirs expectant to the French monarchy should do the same towards Spain, in the event of their accession by the death of the infant dauphin. The chief articles for England, were a guarantee of the Hanoverian succession, the acquisition of St. Kitt's, Newfoundland, Nova Scotia, Gibraltar and Minorca; and the *Assiento* or negro trade for thirty years! Holland obtained her barrier; the duke of Savoy secured a regal title, with augmented territories in Italy, and the island of Sicily; a crown was also conferred upon Bavaria, and the kingdom of Prussia recognized; the house of Austria, by the peace of Rastadt in the following year, retained Naples and the Milanese; while France preserved Landau, and her frontiers as settled at Ryswick. The Salic law accompanied the transit of the Bourbons across the Pyrenees, and received the sanction of the Cortes.

Notwithstanding its general discontent at the terms of this treaty, the British public quickly began to feel the relief of a very material diminution in the annual demands of the treasury. They had amounted in 1712 to nineteen millions sterling; the national debt had swollen to fifty millions; the death of Anne and the accession of George the First, with the struggles of the two parties for political ascendancy, and the Jacobite insurrection, all pointed out the wisdom of pursuing a pacific policy with regard to the Continent; and France, under the regency of Orleans, agreed to concur in maintaining the tranquillity of Europe on the basis of a balance of power. Even the splendid schemes of Alberoni were more specious than alarming. The second nuptials of Philip, with Elizabeth Farnese of Parma, had raised the intriguing ecclesiastic to the pinnacle of his hopes; and negotiations were opened with Charles XII and Peter the Great, to enthrone the pretender in London, obtain the French regency for Philip, and reunite to the Spanish monarchy every one of its former possessions. No sooner however was the tocsin sounded, than France, England, and Holland, united themselves in a triple alliance at the Hague, which extinguished the mad schemes of the Cardinal, and made way for the quadruple alliance of 1718, after the victory of Admiral Byng. In consideration of certain places in Italy,

Sicily was exchanged by Savoy for Sardinia, the kingdom of Naples was too confidently confirmed in its fullest extent to the family of Hapsburgh, and a principality was promised to Don Carlos, the son of Elizabeth, consisting of Tuscany, Parma, and Placentia. This period must have been a golden age for ambassadors. By the peace of Stockholm, in November 1720, George the First confirmed his purchase of Bremen and Verden; but there was neither protest nor remonstrance when Livonia, Esthonia, and Ingria, were abandoned to Russia at Nystedt in 1721. Two years after the death of the duke of Orleans, Ripperda, whose adventures emulate all the wonders that history can relate or romance imagine, and on whom the mantle of Alberoni seemed to have fallen, concluded in April a compact at Vienna, between his master and the Emperor, having for its objects the expulsion of the house of Hanover from England, the seizure even of their worthless electorate, a guarantee of the East India Company at Ostend, and in a secret article the recovery of Gibraltar and Minorca. To counteract these machinations, Great Britain, Prussia, Denmark, and Sweden, effected in September 1725 the confederacy of Hanover, which succeeded in overawing the court of Madrid, although it engendered the wretched and unsuccessful attempts of Admiral Hosier against Porto Bello, and of the Spaniards against Gibraltar.

The congress of Cambrai, transferred to Soissons, was followed by the treaty of Seville in 1729, and the second treaty of Vienna in 1731, which enabled Cardinal Fleury and Sir Robert Walpole to allay, but for a very brief interval, the irritation. In the confusion consequent on the decease of Augustus king of Poland in 1733, England was not roused at the loss by Austria of the two Sicilies. She contented herself with mediating, conjointly with the maritime powers, the convention and definitive peace of Vienna in 1738; through which the duchy of Lorraine was eventually to revert to France, and the crown of Naples was placed on the head of Don Carlos. Her prime minister, it has been observed, seemed to have taken for his motto, *Omnia prius experiri verbis quam armis, sapientem decet*\*; yet her commercial interests had for twenty years been suffering so much from

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\* If Sir Robert may be believed himself, *quieta non movere* constituted the real mainspring of his administration. How could he honestly retain his post, after declaring war against Spain, in the teeth of his avowed policy? It is said of him, that he exclaimed when he heard the bells ringing for Admiral Vernon's success at Porto Bello, 'What fools these people are, they will be soon wringing their hands for this folly.' Compare Archdeacon Coxe, as well as Horace Walpole's correspondence just published.

Spanish pretensions and aggressions, that Walpole felt at last compelled to give way, and manfully, though most reluctantly, to unsheath the sword. The voices of pretended patriots had swelled the clamours of the mercantile men, and hostilities were proclaimed on the 19th October 1739. Rejoicings at the reduction of Porto Bello by Admiral Vernon were speedily forgotten in the failure at Carthagea; and the voyage of Anson, although he returned with enormous treasures, wore rather the appearance of successful piracy than national triumph. The Silesian contest had in the mean time broken out on the death of Charles the Sixth; but it was not until Walpole had quitted the helm in 1742, that the Queen of Hungary derived any effectual succours from the British government. George the Second then became, both in Flanders and Italy, an important ally; while the welfare and wealth of his subjects were wasted as usual, on behalf of provinces and potentates, with whom, so long as the political equilibrium remained materially uninjured, they could have very little concern.

Yet it must also be remembered that the English nation warmly espoused the cause of Maria Theresa. Their connexion with Austria had subsisted ever since the Revolution, they considered it as an essential feature of their share in the federative policy of christendom; and the power of the Bourbon was still the bugbear of the age. When therefore it became generally known that France intended to violate the Pragmatic Sanction, and place a Bavarian on the Imperial throne, all the thoughtless pugnacity of the people revived; the war-whoop grew so loud as to enable Pulteney and his party to displace Sir Robert Walpole; and liberal subscriptions were even made by private individuals\* to assist the Queen of Hungary. In parliament so chivalrous and effective were the appeals on her behalf, that the House of Commons voted her 500,000*l.*; subsidies were provided for Denmark and Hesse Cassel; the land forces were augmented to 62,500 men; the Earl of Stair was sent into the Netherlands with 16,000 British soldiers, even before the concurrence of Holland had been officially ascertained; and these latter troops were to be joined by 6,000 Hessians and 16,000 Hanoverians in the pay of the court of London. Sounding and magnificent was the parade of preparation; although feeble enough in Flanders was the actual campaign. Lord Stair found more to do with the Dutch in

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\* Voltaire says, that the Duchess of Marlborough engaged to raise 100,000*l.* among the ladies of London, and actually deposited 40,000*l.* herself; which, however, the Queen of Hungary declined, as she declared she would accept of nothing but through Parliament.

negotiation, than with the enemy in the field. His royal master indeed had submitted to a treaty of neutrality for his electoral dominions; leaving himself at liberty, he conceived, to act both offensively and defensively in his regal capacity. But however the flames might languish in one part of Europe, they were vigorously lighted up in others. Sardinia was bought over to the alliance; Naples was intimidated by the British squadron under Admiral Haddock and Commodore Martin, who, nailing his watch to the mainmast, gave the council of Don Carlos an hour to chuse between instant submission or a bombardment; while so completely were the Spanish machinations disconcerted in Italy, as well as in Germany, that the spirit of Maria Theresa rose,—she rejected the proposals of France for a pacification, and breathed nothing but a continuance of the struggle. Lord Carteret, the Cicero of the peers, having abandoned the policy he so energetically advocated when combating for office, plunged deeper and deeper into continental connexions. In vain was he reminded of broken vows and forgotten protestations; in vain was it made manifest, that ‘England instead of rousing the jealousy of other states by feeding the pride of an ambitious woman now strong enough to protect herself, should direct its entire force against Spain, in whose humiliation it was more particularly interested. Such arguments met with little attention.’ George the Second had an unfortunate thirst for military glory. Attended by the young Duke of Cumberland and his war minister, he joined the camp of the allies; the battle of Dettingen was fought on the 26th June 1743, and an incomplete victory gained; of which the principal result was, that the French were not pursued, while the conqueror had the honour of dining upon the field, and being the last British monarch who exposed his person in warfare.

How lightly the real interests of this country weighed in the balances of selfish politicians, became plainer every day. A close family alliance ensued between France and Spain in the following October. An invasion of England, planned at Paris in favour of the pretender, was only baffled by a storm and the timely appearance of a fleet under Sir John Norris. A naval conflict in the Mediterranean produced the barren triumph of Admiral Matthews, and the unmerited disgrace of that officer. In the mean time domestic discontents ran high, and with good reason. The administration of Carteret, dignified with the title of the ‘drunken,’ was at length succeeded by the ‘broad-bottomed’ ministry of the Pelhams; nor even then did the prospect much brighten. Marshal Saxe through the firmness of his sovereign gathered sanguinary laurels at



Fontenoy, notwithstanding such a display of valour by the British infantry under the Duke of Cumberland and Sir John Ligonier, that Louis the Fifteenth facetiously observed, 'the English fought for all, and paid for all.' These troops, or as many of them as survived, were soon summoned home to suppress the Scotch rebellion; after which, the naval achievements of Anson, Warren, Hawke, and Knowles, were the sole consolations of the country, until the peace of Aix la Chapelle, on the 7th October, 1748. With the previous pacifications of Breslau and Dresden, England had little to do; all treaties, since the celebrated one of Westphalia concluded just a century before, were now confirmed; Great Britain obtained nothing of importance for having supplied the sinews of the war, and subsidised even a Russian armament, as usual in vain; nor was any mention made of her right to navigate the South American seas unsubjected to the liability of search, although public indignation on this account had first precipitated her into hostilities. Austria was the principal loser, and Prussia the chief gainer by the peace. Holland had crippled her resources in the contest, and perhaps impaired her freedom, by the restoration of her stadholderate\*. Spain and Portugal were gradually declining in importance, from causes which no congress could remove. The Muscovite, introduced to the notice of southern Europe by an alliance with Maria Theresa, began to unveil an influence which then might have been either easily checked, or usefully directed. France was allowed to complete her eastern frontier with Lorraine and several forts on the Rhine, so as to place her in a most commanding attitude towards the princes of Germany.

The remarks of the Abbé Millot on this conclusion of eight years warfare are not more severe than just. 'The English,' he says, 'restored their conquests; and some commercial advantages were all the fruits they reaped, from their expense and obstinacy. It is inconceivable that with a knowledge of the fatal consequences occasioned by the defects of former treaties, the most prudent measures should not have been taken to obviate such dreadful inconveniences. Politicians are some-

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\* It had been abolished on the death of William the Third king of England without issue; but his cousin and heir John William Frederic, count of Nassau Dietz, became Prince of Orange, and was Stadtholder of Friesland by hereditary descent, as well as of Groningen by election. Being drowned in crossing the Mardyke 14 July 1711, the Stadtholdership of Groningen was abolished; yet his posthumous son William Henry Friso, called William the Fourth, not only had his new power as Stadtholder declared hereditary in his family, after the battle of Fontenoy, but it was even made inheritable by females. Compare Coxe's *Life of Lord Walpole* with Von Müller.

times like other people, exceedingly impatient to be delivered from the present evil; and think very little of preventing future disasters. Everything was done with precipitation; essential points were neglected; and in a degree, the seeds of a new war were sown in the treaty of peace.' In fact the treaty may be said to have scarcely extended at all to Asia and America. A succession of contests had commenced in India about 1743, which lasted for eighteen years, and which, after exercising the great abilities of Clive and Dupleix, terminated in laying the foundations of that mighty empire of merchants, extending over Hindostan in the largest limits of its peninsula, from Persia to Burmah, and from cape Comorin to the verge of Thibet and Tartary. French intrigues were either countermined or openly suppressed; their authors, however able, being baffled at home and abroad, by land and sea, in arms and in the cabinet. In Europe also, exertions either made or menaced in the cause of Charles Edward contributed to keep alive every feeling of exasperation between the courts of London and Paris. Jealous of the maritime superiority of the English, the French projected the union of Canada and Louisiana by such a chain of forts as would have circumscribed the English colonies in that quarter within the range of the Alleghany mountains, and effectually cut them off from the Indian fur-trade. Anxious to draw the Spaniards into their views, a family compact was attempted in 1753, like that which succeeded eight years afterwards, but which was happily now frustrated by the care and vigilance of Keene, the English ambassador at Madrid. The taste for aggression however, was not in the least allayed. So careless had the late as well as former treaties been in their definitions, that with regard to America, the words of stipulation were, 'that all things should be replaced on the footing they were, or ought to have been, before the present war.' A coach and six, as the venerable Earl Eldon would say, might have been driven through this and other articles of the peace of Aix la Chapelle. Such looseness of description as would have blasted any country attorney's reputation, had been permitted to pass by the plenipotentiaries of civilized nations. But England; it is said, was sighing for war, and accordingly in 1755, to war she went. What ensued, is well known. Disgrace at first, and then glory in both hemispheres. The loss of Minorca, and the horrors of the black hole at Calcutta; the important Prussian alliance, and the entrance of Pitt and Legge upon office; their dismissal and subsequent restoration; the campaigns of Frederic; the miscarriages at Rochefort and Closterseven, redeemed by the gallant exploits of our admirals; the useless

demolition and capture of the works at Cherbourg and Belleisle, the more worthy successes of Amherst, Wolfe, and Johnson, in New England, at Quebec, and Niagara; the blockade of every hostile port in the channel; the death of George the Second and accession of his grandson; the famous family compact; the surrender of the Manillas in the east, and of the Havannah in the west;—these were the principal events of the Seven Years War, which after the popular minister had been again compelled to resign, terminated in the treaties of Fontainebleau and Hubertsburg, and the permanent triumph of toriyism. England gained abundance of barren territory and hollow fame. The Canadas, Cape Breton, the bay of St. Lawrence, a part of Louisiana, the islands of Grenada, the Grenadines, Tobago, Dominica, and St. Vincent, the gulf of Florida and Pensacola, the French settlements on the coast of Senegal, and most of those in India, were ceded to the British crown, which had augmented our national debt to a hundred and twenty-nine millions sterling. England might indeed have made ten times better terms; she might have humbled all her enemies, rewarded all her friends, and based her prosperity upon a rich and extensive commerce;—but what was all this to Earl Bute and his young sovereign?

Hostilities still continued in India until 1765, and two years afterwards they broke out afresh, in the affairs of Hyder Ali and the Mysore. In North America, the seeds of future independence were rapidly germinating, amidst agitations of which it it required rather more than the senatorial philosophy the country then rejoiced in, to discern the consequences. Russia and Prussia husbanded their resources, developed and encouraged the industry of their subjects, robbed their less powerful neighbours whenever and wherever they could with impunity, and grew greater and greater almost every day. Austria was coalescing and combining with the two last-mentioned monarchies, to plunder as much as possible in her turn, and share largely in the partition of Poland. The virtuous sagacity of Turgot was vainly exerting itself in his profligate cabinet at Paris. In Great Britain an ascendancy of arbitrary principles in both Church and State, fanned the rising flame of rapaciousness and indignation, which threatened to devour the liberties of three million colonists. An unreformed parliament, supported at first by the clamours of an ignorant populace, a proud and pampered peerage, a bigoted clergy, a corrupt administration, and an obstinate sovereign, deliberately voted for and decreed the subjugation of the countrymen of Washington. Madly did they break the ground, and rightly did they reap the shame. At Versailles, Franklin, Dean, and Lee were received and soon acknowledged

as diplomatic ministers ; Germany, Sweden, and Russia, were contented to look on at the agreeable spectacle of British mortification ; the Emperor Joseph indeed excited a brief commotion about the Bavarian succession, which, through Frederic and the Czarina, ended in the treaty of Teschen ; while the Spanish monarch openly joined the French arms against the English. It had been so confidently affirmed in the House of Commons that the colonists would remain unassisted by foreign aid, that the predictions of Earl Chatham and a few others seemed altogether disregarded. The Dutch however, now added themselves to the number of our enemies ; and the armed neutrality, as it was styled, presented a combination of interests sanctioned by the most eminent statesmen at Petersburg, Berlin, Stockholm, Copenhagen, Amsterdam, Vienna, and Naples. Even the republic of Venice thought proper to join the confederacy ; nor could Portugal, in this instance, resist the influence of domineering potentates, who little dreamed of the mighty work they were performing, in advancement of the liberties of mankind. Von Müller eloquently exclaims, ‘ A blaze of freedom burst forth beyond the ocean, which produced an electrical effect in the west of Europe, and exerted an attractive influence on all those who wished to secure to their descendants the enjoyment of their rights, and general prosperity. Many persons, either incommoded by the social institutions of our quarter of the globe, or persecuted by misfortune, or endowed with the spirit of enterprize, and ambitious of discovering new sources of opulence, turned their longing eyes to the western hemisphere.’ The peace of American independence was at length concluded on the 3rd September 1783 ; the preliminaries having been signed at Versailles on the twentieth of the preceding January.

Violent excitement now began to prevail in France, with ramifications extending throughout Prussia and Germany. Joseph quarrelled with the Pope, from motives of vanity rather than of sound and judicious patriotism. His genius, although considerable for an Austrian emperor, seldom pierced below the surface of things ; and the general cast of his wishes was for mere change rather than real improvement, for innovation rather than reform. His views no less wanted depth, than they did length and enlargement. In the meanwhile Catherine seized upon the Crimea ; her territorial encroachments being encouraged by her imperial admirer at Vienna, who hoped in his turn to obtain some further accessions to his dominions. But he was disappointed by a menace from Paris ; nor could he succeed in a not unnatural desire to exchange his perturbed

sovereignty over the Netherlands for the electorate of Bavaria. Frederic the Great frustrated him on this occasion, by the formation of a Germanic league, which induced an abandonment of the project, not very long before the death of the Prussian monarch. His feeble successor, with fair promises at first, relapsed into the lap of luxury, and commenced an idle interference in Dutch affairs on behalf of his sister the Princess of Orange. The States were but just reposing from their contention with Joseph, who after alternately irritating and soothing the Low Countries, had violated the barrier treaty, and demanded the navigation of the Scheldt for his Flemish subjects. Holland was at this time divided into three grand parties; those who were friendly to the Stadtholderate; the aristocrats, headed by the pensionaries of Amsterdam, Dordrecht, and Haarlem, who, with the Rhingrave of Salm, opposed the power of the Prince of Orange and his minister Louis of Brunswick; and the democrats, who while zealously combining for a similar object with the oligarchical faction, extended their views still further to a republican form of government like that of North America. France interfered, as it would seem, in favour of the republicans; but so indecisively, as to precipitate the crisis, without producing any beneficial effect, after the arrest of the princess on the 28th June 1787. She was on her journey to the Hague, at the instigation of the English ambassador; and it is said, for the very purpose of occasioning her arrest. Upon this, a Prussian army invaded Holland, humbled the patriots, dictated the surrender of the capital, and enlarged during a fleeting moment the authority of the Stadtholder. Nor was the confusion less in the Low Countries. Leopold, the successor of Joseph, contrived in 1790 the forcible re-establishment for several months, of his government, in presumptuous reliance on his own strength, and his connexions with France. But Louis the Sixteenth had been called another way. Possessing many private and some public virtues, he was nevertheless far from equal to his painful situation. He wavered to and fro like a feather, on the surface of his demoralized court, carried onward as it were into the vortex of a dreadful yet inevitable revolution. The terrific catastrophes at Paris, the temporary recovery of Brussels by the Emperor, the conference at Pilnitz, the advance and retreat of the Austrians and Prussians, the seizure of Belgium after the victory of Dumourier, the conquest of Savoy and invasion of Germany, were but so many flashes of the storm. In England, Pitt and the aristocracy, trembling for the effects of the new opinions upon their antiquated institutions, dismissed Chauvelin from London, and involved themselves and the nation

in a war with the Convention. Even admitting that the enemy was beforehand in hostile declarations, and that therefore they were on their part involuntary \* and unavoidable, they were not called upon to play King Lear in the tempest, to send an army to the continent, to subsidize the troops of foreign allies, or to carry on the struggle in any other way than by the exertion of the natural and naval energies of the country. All beyond this was gratuitous prodigality ; it was the act of a bullying oligarchy, cheering on a generous but ill-instructed people to their loss and ruin, under the banner of a proud, imperious, apostate minister.

Revolution in sooth was the order of the day. An attempt to control the political movement breaking in upon all Europe, was to renew the attempt of Canute, and address the waves. Russia wisely, at this time, contented herself with exclamations and invectives. Gustavus of Sweden was assassinated by Ankarstrom on the 29th March 1792, and the regent duke of Sudermania abstained from anti-gallican hostilities. Denmark imitated the example. Spain dismissed the French minister, after the execution of Louis ; and Lisbon, although wishing to avoid a rupture, detached succours to her sister court for the defence of the Pyrenees. The campaign opened most actively on the frontiers of Holland. Dumourier deserted after the battle of Neerwinden, and the duke of York failed at Dunkirk. In 1794, Mr. Pitt produced eleven treaties to the two houses ; while Pichegru and Jourdan again subdued the Netherlands, and the former, with the able Moreau, overran Holland. At Amsterdam was effected another revolution, which demolished the office of stadtholder, and laid the Dutch, as a liberated people, at the feet of the French republic. At sea Howe achieved the victory of the first of June ; but on land, the cap of liberty triumphed among the Pyrenees, as well as on the frontier of Nice and Savoy. Prussia, after having in connexion with Russia and Austria formally and for the third time partitioned Poland, at length concluded a treaty with France, forgetful alike of British subsidies and royal engagements. The sun of

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\* It has been rashly asserted by some of his admirers, that Pitt's policy was essentially of a pacific kind, and that the war in fact counteracted his original plans. Passing over the affair of Nootka Sound with Spain, what shall be said to the assistance given to Austria in her attempts to reduce the Netherlands, or to the projected crusade on behalf of Oczakow, before the peace of Yassi in January 1792 ? The good or bad policy of the last intended measure is not the point now in question ; but whether the heaven-born minister would not have gone to war with the giants or the pigmies, rather than have placed in jeopardy the political corruptions of his country.

Napoleon was now rising upon Europe. A peace with Spain had taken place in 1795; but that of Campo Formio two years later, recognizing the changes among the Italian states, was the fruit of Buonaparte's campaigns. After the subsequent pillage of Rome, the agitations of Switzerland, the attack of Malta, the invasion of Egypt and Nelson's victory of the Nile, a second coalition was formed by Pitt against France, consisting of Great Britain, Germany, Russia, Naples, Portugal, Turkey, and even the pirates of Barbary. England again paid for all,—the blindfolded fool of the whole European family. In concert with Russia she invaded Holland, where her temporary success was followed by final failure. Napoleon flew back from his failure at Acre, re-established as First Consul his military fame at Montebello and Marengo, dictated the treaty of Luneville, and alienated the Czar from the confederacy. Pitt now retreated from the helm in London; the eccentric Paul was murdered by conspirators, and left his dominions to Alexander; the Danish fleet was ruined by Lord Nelson; Malta, Cairo, and Alexandria, were reduced by British forces; a convention was adjusted with Russia, Sweden and Denmark; so that the way was opened for the peace or rather truce of Amiens.

‘When the eventful war which arose from the French revolution had thus terminated, the power of the republic was enormously great. With the territories which had been governed by Louis the Sixteenth, the Netherlands and a flourishing portion of Germany were incorporated; as well as Geneva, the duchy of Savoy, and the principality of Piedmont. The Dutch bowed their necks to Gallic tyranny. The Swiss, enslaved by the directory, had not been able to recover their independence. Spain, forgetful of her ancient dignity, was a subservient and degraded ally. The Cisalpine state was completely under the yoke of the first consul, who had been constituted its president for ten years. It not only comprehended the Milanese, but included a considerable part of the Venetian territories, the duchies of Mantua, Modena, and Parma, besides some of the provinces which had belonged to the see of Rome. Tuscany, governed by a vassal king, was in effect a province of France; and the Ligurian republic did not presume to dispute the will of the predominant nation.’ [*Russell*, vol. v. p. 534.] Such was the reward of England for expending a deluge of blood, and millions upon millions of the national treasure; besides having revived by her naval domination the armed neutrality of 1780. During the contest, Hanover had been appropriated by Prussia, and was restored before the peace; which moreover gave the colonies of Ceylon and Trinidad to England.

Short and treacherous, however, was doomed to be the calm. The fortunes of Napoleon had been born amidst the thunders of battle; and by war alone could they be extinguished. The violation of Switzerland on the one hand, and the retention of Malta on the other, set the match once more to the magazine. England, goaded on by the zealots who dreaded domestic changes, suffered herself to be again roused at the sound of the drum and the trumpet. The East and West Indies, Holland, Italy, Denmark, Spain, Germany, Prussia, Portugal, South America, Turkey, Russia, Egypt, France, North America, and the ocean, were all in their turns the scene of sanguinary combat, before peace could be restored. From the conference at Pilnitz in 1792 to 1813, a period of twenty-one years, no less than six coalitions were formed and paid for by Pitt and his successors;—all, with the exception of the last, notorious failures. The prodigal ‘pilot of the storm’ had resumed his post at the helm in 1804, and died in 1806, on the 23rd of January. The ‘talents,’ under Lord Grenville, were succeeded by the duke of Portland’s ministry in 1807, comprising Hawkesbury, Castlereagh, and Canning. Percival became premier, on the death of Portland, in 1809, and was assassinated in 1812; when the earl of Liverpool, for lack of a better man, was selected by his own colleagues to lead them, which he did for fifteen years. Lord Castlereagh obtained, unfortunately, the seals of the foreign department, and at the close of the war, represented Great Britain at the congress of Vienna. Perhaps the single statesmanlike act of this nobleman, had been the mediation of a treaty at Bucharest in 1812 between Turkey and Russia, which left the latter disengaged, and at liberty to act against the forces of Napoleon.

Beyond all question, so wicked and ‘incompetent a minister never occupied such a station for good or evil in modern times. The affair of Genoa shattered into atoms the talisman of the hopes of Europe. He avowed that his object was not to see justice done to the weaker states, nor to secure their liberties and independence; but, in his own words ‘to re-organize Austria and Prussia, with such military positions and fortresses, as would support their flanks and rears.’ Popular interests, the rights of subjects, ideas of their happiness under any government appointed for them being of the slightest importance, never troubled or burthened his brain for a moment. A bow from the gracious Alexander, a smile from the emperor Francis, compliments from Frederic William, flatteries from Metternich and Nesselrode, snuff-boxes from the herd of lesser sovereigns or their still smaller representatives, were temptations



for which this lordly phantom of diplomacy bartered away territories which he might have protected, and the prosperity of millions which he might have preserved. That his conduct was the result of deliberation and not of ignorance, is clear from the circumstance that previously to Napoleon's return from Elba, he had signed a treaty with France and Austria, binding them in conjunction with Great Britain, to resist the ambitious designs of Alexander; and yet towards that very autocrat, his avowed principle of 'flanks and rears' was not acted upon. Russia was allowed to bear away the lion's share of Poland; Austria and Prussia being content to suffer it, because they were permitted to be partakers in the spoil. Neither was any effort made to restore Finland to Sweden; though if all powers were to receive those territories which were most essential to their safety against foreign aggression, Finland ought to have been ceded by the Czar, since it was at least as necessary to Sweden for security against Russia, as Genoa was to Italy or Sardinia against France; with this difference in the two cases, that while Sweden had the claim of ancient possession, and the plea of having been unjustly robbed by Russia, Sardinia had not the shadow of such a pretension on Genoa. [*Canning, by Stapleton, vol. i. p. 15.*] In fact, after the waste of so many hundred millions of money, after such destruction of life as humanity shudders to contemplate, after arming in hostile array every civilized nation, England, not a whit the wiser for all her agonies and anxieties, threw away, as it seemed almost without a thought, the colonies, advantages, influence, and even the character for uprightness and honour, which had won the world's confidence. Let Norway, Genoa, Parga, and the formation of the Holy Alliance, in which Castlereagh saw no danger, and which, but for a technical objection, Great Britain would have joined,—let the congresses of Vienna, Aix la Chapelle, Troppau, Laybach, and Verona,—let all these in conjunction with broken promises, the withholding or extinction of constitutions, the oppression of Spain, Portugal, Piedmont and Naples, testify to the perjury of continental sovereigns, and the true character of toryism, as personified in its diplomacy.

Canning at length took the seals of the foreign department on the 22nd September 1822; which might indeed have been his, ten years before, though without the great object of his ambition, the leadership of the house of commons. Anti-reformer and supporter of legitimacy as was this eloquent minister, he had nevertheless learned to hate the Holy Alliance; and in a series of masterly measures, he annihilated its paramount

influence. His celebrated though most imperfect system, seems to have been, 'that the balance was to be held by England, not only between contending nations, but between conflicting principles; giving the preponderance to neither; but staying the plague both ways.' As the absolutists were just now the strongest, he felt disposed to aid the opposite party; with an abundance, however, of explanations and reservations, lest the monster of democracy should grow rampant, and approach too nearly and familiarly, either the throne, or the privileged orders. He had in fact been a member of the Liverpool ministry, as president of the board of control, from 1816 to 1820, and before that time ambassador at Lisbon; while, moreover, that very nobleman was foreign secretary, whose policy he deprecated, and with whom in 1809 he had even fought a duel. Yet so it has ever proved with politicians, a twentieth part enlightened; reversing the maxim of the hero—honour before God—fashion before honour—and self before all! Intended by nature for a star, he preferred the destiny of a sky-rocket, to which Mr. Wilberforce used to compare him. He was willing to offer up the savoury meat his fathers loved, for the blessing of power in possession, at the risk of fame in reversion;—the voice was Jacob's voice, but the hands were the hands of Esau.

The emperor of Russia had published an Ukase, forbidding all foreign vessels to trade, fish, or settle within 100 Italian miles of the North-West coast of America, from Behring's straits to the 51st degree of latitude; within which limits are several English settlements. The new secretary obtained satisfaction for this extraordinary insult; which his predecessor never would have done, in any other shape than pocketing the affront in some valuable token of imperial condescension politely transmitted from St. Petersburg. Language was also used on the part of England\* at Verona, most grating undoubtedly to royal and despotic ears. Yet France was allowed to cross the Pyrenees, and even occupy Spain, although under the ban of British disapprobation. The recognition of the South American republics, at the same time occurred most opportunely to demon-

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\* Castlereagh himself had used *language merely*, in answer to one of the later declarations of the Holy Alliance; but gentle and measured as it was, the despots treated it as a *vox et præterea nihil*, well knowing the quarter whence it came. Probably, however, they were not quite aware, that this very note of the noble foreign secretary, approximating, as it did, to the tones of patriotism, was in fact drawn up by none other than Canning himself, who seems to have been privately called in by Castlereagh on the occasion.

strate, that the Holy Alliance and this country were for ever separated. His negotiations at Rio Janeiro and Lisbon, as well as at Constantinople and St. Petersburg, evinced as much liberality as could have been expected from a mind yoked in official trammels with lords Eldon, Melville, Bathurst, Bexley, Westmoreland, and the duke of Wellington. When Spain in the true spirit of Bourbonism attempted to suppress the constitutional charter granted by Don Pedro to Portugal, troops were promptly sent to the princess-regent's assistance, which nipt hostilities in the bud, and at least prevented the 'scythe of a magnificent war from mowing down the whole peninsula.' After Canning's death, and the ephemeral administration of viscount Goderich, affairs indeed took a new and important turn in Portugal. The constitution, which, until it could strike root amongst the people who were to experience its benefits, appeared to subsist upon the countenance of England, fell into abeyance when that support was withdrawn. Lord Aberdeen and the duke of Wellington befriended Don Miguel; they have avowed his partizans for theirs; and it required the events of 1830 at Paris, Brussels, and Warsaw, and the revival of a civil struggle from Oporto to Faro, to give liberty and philanthropy even a chance of existence on the banks of the Douro and the Tagus.

It is time to look back through this labyrinth of foreign policy; and melancholy enough is the retrospect. The whole has been one succession of sacrifices, on the part of a great and generous people;—sacrifices always unproductive, and often criminal;—sacrifices of their persons, their property, and too often of their civil and religious rights, at the shrines of ambition and selfishness. Kings and priests were the mystagogues to lead victims after victims to these unhallowed altars, until the seventeenth century; from the close of which to the present period, the members of a corrupted aristocracy, greedy, proud, and powerful, have performed the function in their stead.

The foreign policy of England might have been pacific, or at least merely defensive, in the great outlines of its character. But instead of this, interference has been the rule, abstinence the rare exception. Secure in her insular position, she should have been satisfied; and by acting upon a contrary system, she has gained little besides profitless extension of territory, an enormous burthen of debt, and many honourable wounds. 'Great Britain,' as Von Müller justly observes, 'would have done better if she had refused all territorial acquisitions out of her own islands, and had contented herself with carrying on an unsuspected commerce with all parts of the earth. If she had confined herself

to the preservation of her independence against all superiority, by means of her marine, without pretending to rule the waves, all nations would have been friendly to the Britons; and the consciousness of their justice, freedom, and power, would have raised their nation above all cause of apprehension.' [Vol. iii. pp. 288-9.] All this might have been done, and might have been enjoyed; for even with regard to the boasted balance of power, the first Mr. Pitt in 1743 remarked, 'I lay it down as a maxim which England ought always to observe, that although it be our interest to preserve a balance of power in Europe, yet we should be always the least susceptible of jealousy, and the last to take the alarm.' [*Anecdotes of Earl Chatham*, Vol. i. p. 113.] Canning himself eloquently replied to a philippic of Henry Brougham in 1824, that 'the true policy of England was, to move steadily on in her own orbit, without looking too nicely to the conduct of the powers in alliance with her; to be content with her own glory, and by its example to excite other nations to arrive at the same advantages which her peculiar system had bestowed upon her; but not by a wild crusade, to endeavour to force those advantages upon other countries, converting blessings into curses as respected them, and courting danger and difficulty as regarded herself.' [*Canning by Stapleton*, Vol. i. pp. 489-90.]

But if broken bones were essential to comfort, her foreign policy might at least have been national; instead of which, it is always found presenting individual, or private, or party characteristics. Some matrimonial alliance, some court intrigue, some royal passion or preference, the changeful whims and interests of a mistress, a favourite, a faction, or now and then a commercial company, have affected the most important negotiations. The nation—the people,—with all its millions of hearths, and hearts, and happinesses;—the people, in all the associations of its unnumbered homes, and the multiplicity as well as variety of its existences;—the people, has hitherto been but the whipping-boy of the sovereign,—the Sir Mungo Malagrowth of a pampered oligarchy, loving their own flesh and blood, tender of their own posteriors as of the apple of their eye, ever ready to plunder in their own proper persons, and when found out, to be punished for it vicariously.

Since, however, the foreign policy was to be neither pacific, nor defensive, nor national; it might at all events have been European and cosmopolitan. It might have assumed such an aspect of magnanimity, that looking on British interests as of secondary consequence, its appearance might have been that of a patriot among nations. As it grew in grandeur and resources,

it might have aimed at shining as the sun and centre of the civilized system; and have so adjusted the weights and balances of other countries, as to rescue the weak from the oppression of the strong. Alas for the pride of human nature;—our benevolence and philanthropy, unless roused by an earthquake or a fire, have generally lain, where the delicacy of Dutchmen is said to lie,—at the bottom of the breeches pocket. We have played the part neither of Atlas,—nor of Theseus,—nor of Apollo. We have destroyed a lion now and then, that from his carcase might spring forth, not meat, but poison,—not sweetness, but bitterness,—not honey, but hemlock. We have fought like fools, for none but tyrants. No stipulations for the everlasting rights of man preceded, or accompanied, or resulted from our costly and victorious efforts; except some hollow and imperfect clauses for abolishing the slave-trade, which public opinion compelled Lord Castlereagh to insert in the treaty of Vienna, and Lord Ponsonby in that of the Brazils. We boasted, without a blush, that our most valuable reward at Utrecht was the Assiento contract. Where and when, on any appropriate plan, have we in the course of the last couple of centuries, manifested any desire for the wholesale welfare of the world at large, or of its parts and sections in particular? Did we strike hard for protestantism during the thirty years war? Did we regard, to good and effectual purpose, the interests of Holland, at Aix la Chapelle, Nimeguen, or Ryswick, save just so far as our own safety was at stake; or did we care about the Morea at Carlowitz or Passarowitz? Did selfishness or disinterestedness prevail, when Louis XIV was ready to beat his sword into a ploughshare? Did we bargain for the liberties of Hungary when we assisted Maria Theresa? Did we in the interval between the treaties of Hubertsburg and Kainardjee (1763—1774,) when the death of Augustus II of Poland had led to a rupture between Russia and the Porte, when Catherine was grasping the Crimea, when the Greeks awoke from the Adriatic to the Bosphorus, when the rebellion of Ali Bey was convulsing Egypt, when the Jesuits were agitating all catholic christendom;—did we then hold the equipoise between the Sultan and the Czarina; did we rock the cradle of Hellenic freedom; did we watch over the commerce of the Levant; did we staunch the wounds, or wipe away the tears of Europe? Did we not attempt to stifle at its birth the energies of American independence? Was it ever heard, that we insisted on the suppression of the Inquisition in Spain, or on the establishment of liberty in Italy, before we shed our blood like water for the beloved Ferdinand and the

restoration of the Popedom? Again let us appeal to Norway, Genoa, Poland, Parga, and in another quarter, to the lakes and woods of America;—and they will answer the question, whether, in our national capacity, we have been deliverers or oppressors, —whether we have proved ourselves the friends, or the enemies of mankind.

Wars have been hitherto waged for territorial or commercial advantages;—to preserve the balance of power;—to gratify ambition;—to support family compacts between allied sovereigns; but seldom for the nobler objects of promoting civil and religious liberty. The world is now approaching another æra. The next conflict will be neither for territory, nor treasure, nor navigation, nor fortresses; but, in one awful phrase, for principles. Freedom, self government, independence, will be the portentous prizes at stake. On one side is beheld Russia, from the Baltic to the Black and Caspian seas, from America to Denmark and Sweden, shelving down like a huge glacier from the north, upon the sunny regions of the south. She has already seized, or gone far towards appropriating, either secretly or openly, Moldavia, Walachia, Bulgaria, Servia, and Bosnia; a line of territory, which must sooner or later so extend as to touch the Adriatic, mask the Austrian empire, and command the Mediterranean. Situated between four tottering yet extensive powers, Persia, Turkey, Japan, and China, she waits to absorb them at her leisure.\* It is there she will try to recruit her legions of disciplined slaves, when the progress of civilization shall diminish the sources of her present supply.

Austria, under so practised a politician as Metternich, cannot fail to observe the progress of her ally with the deepest jealousy and alarm, more especially when she reflects upon her internal condition. The demise of Francis the Second, in the course of nature at no great distance, will probably be the signal for a breaking-up among the party-coloured dominions of the House of Hapsburgh. Thirty millions of people, speaking different languages, and uncemented by any thing like similarity in religion, public opinions, or forms of government, are likely enough to separate into several distinct and independent nations, at the first shock of the political earthquake. Yet from the policy which seems to descend as an heir-loom from one generation to another of those who represent the western Cæsars, it may fairly be inferred, that although Austria trembles upon a mine, she will nevertheless be ever ready to range herself under the banners of despotism. Bohemia, Hungary, Gallicia or Lodomeria, and Lombardy, with almost all Italy, will then resume their rights, and turn upon their oppressor. Germany,

it may be hoped, only waits for such an opportunity, to break her bands asunder, and rid herself of a regiment of princes, more rapacious than the locusts of Egypt. Yet amidst all these changes, or rumours of changes, whatever can be done by the strong man armed, will be done by the iron court of Vienna; while that of Berlin, though harassed by the same apprehensions and, except on the score of antiquity, surrounded with circumstances not dissimilar, still promises to muster at least her Trans-rhenane soldiers on the side of tyranny and toryism. Spain, unless transformed by current events, with Sardinia, the two Sicilies, Saxony, Bavaria, and the Pope, and perhaps more than one of the lesser northern powers, may be numbered among the members of this anti-social league;—a league, to which will be joined the high church-and-state party in every country, under the specious appearance and hypocritical pretence of conservation.

Opposed to all these, will be France, with the Alps, the Pyrenees, and the Rhine for her boundaries, standing up as the great head and leader of all, who may rise throughout continental Europe on behalf of liberty and intelligence. Her hopes, under Providence, will rest chiefly on the singleness and simplicity of her object, and the seeds of disunion so thickly sown among her enemies. She will have on her part, the most gallant armies of the civilized world, the wishes and prayers of every patriot, the powers of knowledge, and the consciousness of a sacred cause; against her, will be countless hosts of soldiers, the enginery of mere military force, accumulated treasures, some venerable names, a combination of coronets, crosiers, diadems, and all the subtlety of the most serpentine policy. Could the allied sovereigns only become wise in time, the catastrophe might possibly be avoided. The gothic outlines of the feudal system, or what remains of it, might be gradually altered, so as to set public opinion free for the fulfilment of its beneficial destinies; but because the great ones of the earth are blinded so that they will not see, and deaf so that they will not hear, the whole edifice will be upheaved from its foundations. Truth must prevail, and our species be free. Freedom was the original gift of God, and tyranny is the innovation. The world accordingly will right itself at last; the road opens straight before us, and we have only to be firm in following it. Union between London and Paris forms the best pledge for good order throughout Europe; and while that lasts, the bay of banding despots may be heard in the distance, '*lupis ululantibus*.'

To sum up,—the European powers, extending over about four millions and a quarter of square miles, with a population of 230

millions, a public revenue of 170 millions, and a debt of between fourteen and fifteen hundred millions sterling, may be arranged under the five following divisions, viz. Great Britain, France, Russia, Austria, and Prussia, in the first class ; Spain, Portugal, Holland, Sweden, Denmark, and Belgium in the second ; Turkey, Sardinia, Naples, Bavaria, Saxony, and Switzerland, in the third ; Hanover, Wirtemberg, and perhaps the Papedom, in the fourth ; and the principalities of Germany and Italy, with the nascent kingdom of Greece, in the fifth. Our country owes sixteen times the amount of her annual taxes, but not three times her annual revenue. France owes five times her annual taxation, with a population of 33,000,000. Russia has a national debt, less than thrice the amount of the government's income of about seventeen and a half millions sterling. Austria has been a bankrupt twice without shame or sorrow ; but more than one out of every hundred of her population is a soldier. Prussia owes three times and a quarter her taxes, and is the most perfect model of a military despotism that can well be conceived. Of course the two latter powers take the lead in the Germanic confederation, which has now upwards of 360,000 men in arms. It is well for mankind, that the three grand absolute governments of Europe are as heterogeneous in their composition, as they are huge and unwieldy in their proportions. The troops of Russia, with the exception of the guards, are said to be frequently in a state almost verging upon disorganization ; badly clothed, poorly paid, irregularly disciplined, and without commissariat or hospital. Holland will be the milch-cow of the Holy Alliance, whenever the struggle shall arrive ; unless delivered from it by a timely revolution. It is to be hoped that before then, such reforms will have taken place in our corn laws and general system, that the Baltic ports will feel their commercial interests too closely bound up with our own, to rush blindly into the battle at the bidding of an imperial autocrat. The Prussian tariff is fast spreading over all Germany ; and the famous reciprocity treaty is on the point of expiring. Concessions therefore must soon be made for our own sake, as well as that of others. By equalizing the timber duties, and no longer refusing to take the staff of life wherever it can be had on the cheapest terms, the tide of trade will set in from its natural quarter, so that woe be to the enemy that disturbs it. Commerce may thus be brought to act as a curb upon the cravings of ambition. The principle of non-restriction must moreover be carried out to the Adriatic, Mediterranean, and Euxine ; cultivating every existing means of intercourse, and at the same time opening fresh ones with the subjects of Turkey



and Egypt. A contemporary has pointed out how profitably we might exchange our manufactured silks and cottons and hardware, for the wools of Dalmatia, the raw silks of Roumelia, the raw cotton of Thessaly, the corn, flax, tallow, and hides of Bulgaria, the drugs and fruits of the coast, and the copper of Trebizoude. In this way, England would make a gradual impression in her favour, upon the minds of millions at present passing through the earlier processes of civilization. They would soon discern their friends from their oppressors, and withdraw in heart and spirit from the protection of the Czar and his Calmucks. These last must in fact, be driven back from the Bosphorus *per fas et nefas*; and barriers be sought to prevent their return, or further progress southward. Should the Porte prove obstinate, a confederation of the Danube has been proposed, or a revival of the old Armenian and Georgian sovereignties. Persia must be carefully watched, and her frontiers respected. The earliest opportunity, whenever free Europe recovers the power of action, will necessarily be seized for recalling Poland into existence, and joining her with one or more of her neighbours in a well-knit and durable confederacy. Great Britain might also aim at obtaining that position in American politics, which the court of St. Petersburg has been unluckily allowed to occupy. The situation of the world is not desperate; it waits for nothing but the turn, which shall set the tide of freedom once more in decided action in the right direction.

ART. V —1. *Imprisonment for Debt Abolition Bill*. Parl. Papers, Session 1833.

2. *Proposal for an Act for facilitating Deeds of Composition by Insolvent Traders; with an outline of the Act suggested, and an Analysis of a Deed of Composition*. By Scrope Ayrton, Esq., Barrister-at-Law.—Butterworth. 1833.

**I**F the Ministerial Bill for the abolition of the Law of Imprisonment *pass into a Law*, its effects will not be second in importance to the Reform Act itself.

Its immediate consequence will be to bring the rich and the powerful of the land into subjection to the law, and legislators will hold in vain their immunity from incarceration to which all their fellow-subjects are liable.

But this Bill is of ministerial origin, and has therefore the characteristics of ministerial halfness and deficiency.

In bringing about a wholesome change, it will produce an

amount of misery and ruin which few benevolent minds would bear to think of. Here there is no thought of compensating relief, as when a sinecurist or placeman is to be removed for nothing-worthiness. The change is rough and headlong, and under the aspect of mercy, which is involved in the idea of the abolition of imprisonment, there will be created an extent of bankruptcy and inevitable destruction, unequalled in the worst period of the operation of the law to be abolished.

Abolish the Law of Imprisonment, it is bad, and the engine of ferocious cruelty; but create not another in its place, in its instant results even worse.

First of all, let the literal contents of the Bill *as amended* by the Committee, and supposed fit for adoption, be examined.

The Bill is thus entitled; A Bill for facilitating the recovery of Debts,—the Prevention of Frauds by Debtors—the Relief of Debtors willing to make Cession of their Property for the Payment of their Debts,—and abolishing Imprisonment for Debt except in cases of fraud.

The Bill in title and throughout its contents, seems to speak of the animal debtor as a mere delinquent whose hunting is to be followed after a new method; but takes no thought of the causes of that condition,—such as his counter character of creditor, through which his misfortunes may have come, without crime or fault of his own.

The preamble then recites, that the existing law of debtor and creditor is defective, in not providing a more summary and less expensive mode of recovering debts secured by bonds, bills of exchange, and promissory notes [Is it not yet more defective in the same particulars as regards the recovery of other debts?] and in not providing adequate means for enabling creditors to obtain satisfaction from the property of their debtors.

It then goes on to state, that the indirect course of compelling satisfaction to the creditor by imprisoning the person of the debtor, is *circuitous*, inefficacious, and productive of evil [An important admission, fit to be extended to other branches of law, by the Whigs attempted to be reformed.]

And lastly, that it is expedient to protect creditors more effectually against frauds committed by debtors in absconding from justice, or in fraudulently removing or disposing of their property for the purpose of defeating or delaying the just claims of their creditors. [This is one-half of the matter. Nothing is said of the ruthless vengeance of a small creditor, who may render bankrupt where larger creditors have mercy, and so jeopard the interests of all for the gratification of a petty revenge.]

The first part of the preamble relating to bonds, bills of exchange, and promissory notes, is proposed to be accomplished by two enactments in the first and second clauses of the Bill, in which it is provided, that if the person to whom the bond has been given, or the holder of a bill of exchange or promissory note, shall make affidavit of the debt due to him on these securities, and that demand was made after the sum was due, he shall be entitled to sign judgment unless the debtor shall within ten days after notice give security for the debt and costs, or within that time shew sufficient [What does this mean?] cause to a Judge of the Court why judgment should not be signed. As regards those securities in which the defendant has admitted the debt in terms, this facility is not improper—nor would the same facility be at all improperly extended to all cases of Contract in writing, where the whole of the conditions of the contract are set forth,—nor if the principle were extended to its proper limits, to cases of simple contract, where proof of the delivery of the goods, or loan of the money, could be established. The complaining party ought in every case to be relieved of the risk of losing his costs, as well as his debt. All which should be matter to be settled before a Judge, in the first instance in open court however; and it could be easily settled, if the defendant could not deny the debt was due. According to this method, the mode of recovering all debts would be more summary and less expensive, less circuitous, inefficacious, and productive of evil. For, be it remarked, the creditor proves upon oath the debt due to him; and, in the case supposed, this is not denied by the debtor.

Further on it will be seen how the severity of this rule as regards the debtor, which is after all but strict justice, may and ought to be mitigated.

The 3rd clause provides, that if final judgment be signed, and the judgment not satisfied within ten days afterwards, a commissioner to be appointed for the purpose, may cause the debtor to appear before him for the purpose of being examined touching his property, so much of which by a subsequent clause (the fifth), the commissioner may assign to a trustee to be appointed by him, as may be sufficient to discharge the judgment obtained by the creditor. By the next clause, (the sixth), the trustee is directed to realize as fast as he can, and having out of the proceeds defrayed the judgment debt and the expenses of recovery, to pay the overplus to the debtor or his representatives.

By the 8th clause, all the lands of a debtor, only a moiety of which are by the present law liable, will be subject to be seized in the same manner as goods and chattels heretofore.

And by the 9th clause, incumbrances are not to be a bar to the sale of any property in which the debtor has a beneficial interest; but on the application of the creditor to the court out of which execution issued, the court may direct it to be sold.

By the 10th and 11th clauses, any investments in the stocks, and obligations and securities, may be seized and made liable to the claims of the creditor. So far, as regards the compulsory proceeding of the new law. Next follows the provision by which the third condition of the bill expressed in the title is accomplished, viz. the relief of debtors willing to make cession of their property for the payment of their debts.

By the 12th clause it is provided, that any such debtor may exhibit a petition to the court of any such Commissioner, setting forth his assets and his debts; which petition shall be received, upon proof of notice to the creditors.

The Commissioners may then appoint a person to seize the property of the petitioning debtor. Then follow provisions for giving notice of such petition in the London Gazette, and the appointment of two meetings for the petitioner's examination and the choice of assignees, which choice is to take place at the first meeting. The second meeting is to be forty-two days after the filing of the petition.

The 17th and ten following clauses, provide for the proof of debts in general, several clauses being devoted to specific provisions for special descriptions of creditor.

By the 20th clause, the Lord Chancellor is empowered to appoint official assignees, one of whom will act in every case as in cases under the present bankrupt laws, with the assignees chosen by the creditors.

The 30th, 31st, 32nd, 33rd, and 34th, provide, in the event of the death or resignation of assignees, for the appointment of new assignees, that legal proceedings shall not abate, and for vesting the present and future estate of the debtor in the assignees, and that without conveyance, and for the registry of all transfers of the debtor's property.

Then follow a series of provisions for the prevention of frauds by debtors.

In the first instance it is enacted, that if any petitioner shall within three months before filing his petition or afterwards, being in insolvent circumstances, voluntarily make over any property to any creditor, it shall be fraudulent and void as against the assignees.

A similar provision then follows with respect to extents.

By the 37th clause the benefice or curacy of beneficed clergymen may be sequestered.

The government stocks, being the beneficial property of a debtor, may be treated as such by them, and applied to the general purposes of the assignment on behalf of his creditors.

In cases of insolvency, the assignees may accept or refuse to continue any lease to which the petitioning debtor is entitled, and he is released from all further responsibility on that account.

The assignees may exercise all powers (except the right of nomination to any vacant ecclesiastical benefice) vested in the petitioning debtor, for the benefit of the creditors.

By the 41st clause, copyhold or customary lands may be sold; and by the 42nd, the title of the lord of the manor to fines, dues, and other services, in the case of purchase by any vendee from the debtor's assignees, is provided for.

There are other provisions enabling the Commissioners to compel the presence of the petitioning debtor, or any person supposed to possess property belonging to him, and on their appearance to examine them, and allow the expenses of witnesses.

By the 48th clause, the usual rule of evidence, which excludes the wife's testimony, is broken through. She may be summoned in order to be examined for the discovery of the concealed property of her husband the petitioning debtor; and may be imprisoned as other refractory witnesses may.

By the 48th and 49th clauses, the Commissioners are directed in their warrant of commitment of any person for not answering questions, to specify the question; and in case of actions brought by any petitioning creditor, in respect of such commitment, the judge presiding at the trial is directed to inspect the whole of the examination of the party committed, if required to do so.

Clause 51st declares penalties on gaolers for allowing debtors committed to their charge to escape. And clause 52nd declares a penalty of 100*l.* and double the value of the estate concealed, against any person wilfully concealing any property of a petitioning debtor and not discovering it within forty-two days after the filing of the petition.

The assignees are empowered to make such an allowance to a petitioning debtor out of his estate, until he shall have passed his last examination, as shall be necessary for the support of the debtor and his family.

If the petitioning debtor has agreed for the purchase of estates, the assignees are not to be forced to complete, unless they elect to do so.

All proceedings under the Act are to be free from the stamp duties.

Assignees are to keep an account of the property of the petitioning debtor.

Every petitioner who shall have in all things conformed himself to the provisions of the Act, is to be discharged from all debts due from him on filing his petition, in case he shall obtain a certificate of such conformity, signed by four-fifths of his creditors, who shall have severally proved debts to the amount of 20*l.* and upwards. After six months from the filing of the petition, then either by three-fifths in number and value of the creditors, or by nine-tenths in number, who shall thereby testify their consent to the petitioner's discharge from all the claims upon him.

A certificate must also be signed by the Commissioner to the effect, that the debtor has made a full discovery of his property and in all things conformed, and that there does not appear to be any reason to doubt the truth or fullness of such discovery, and also that creditors have signed in the manner above-mentioned; all which is to be proved to him by affidavit.

The petitioner must also make oath, that such certificate and consent were obtained without fraud.

All contracts to pay the debts of any creditor, in order to obtain his signature to the certificate, to be fraudulent and void.

Any party feeling himself aggrieved by the Commissioner's decision, may appeal [to what is not yet mentioned]; but there is an odd provision, that the party appealing must give security to the satisfaction of the Commissioner, the party appealed against, that he will obey the order of the Commissioner, and pay the costs of the appeal in case judgment on the appeal shall be given against the appellant.

Surplus of property, after payment of debts with interest, (preference as regards interest being given to those creditors whose debts bear interest, and then four per cent to all others), to be paid over to the petitioning debtor.

By clause 72nd any person who shall, under the false pretence of carrying on business and dealing in the ordinary course of trade, obtain on credit any goods with intent to defraud the owner, or with such intent remove or conceal or dispose of any goods so obtained, is to suffer imprisonment, not exceeding two years, nor less than one year.

And any person who shall, after action commenced against him by any creditor, make over fraudulently any property with intent to defraud such creditor, is to be imprisoned for the same period.

The removal, concealment, or embezzlement, of any property with intent to defraud his creditors, is to subject him to trans-

portation for seven years, or to be imprisoned and kept to hard labour in any common gaol or house of correction for a term not yet specified.

Debtors absconding and concealing themselves with intent to defraud a creditor who has obtained a judgment, to be liable to imprisonment for any term not exceeding twelve or less than six months.

The 80th clause recites, that the present power of arrest is unnecessarily extensive and severe, and, provision being made to facilitate the remedy of creditors against the property of debtors, may safely be relaxed; and then enacts, that no person shall be arrested on mesne process, unless the plaintiff shall make oath that he believes the debtor is about to abscond to avoid payment of his debt, or on special order made by one of the Judges of the superior courts.

The party arrested is however to be entitled to his discharge, upon finding bail according to the laws now in force.

And the person at whose suit the debtor was arrested, if the latter shall bring an action against the former on that account, is to prove that he had probable cause for believing that the party arrested was about to abscond.

Commissioners of bankrupts to be Commissioners for carrying this Act into execution.

Prisoners in custody at the commencement of the Act, to be discharged; but liable to be detained or arrested upon such process as by the Act may be sued out against them.

The like provision for judgment creditors.

Debtors in custody in execution of any judgment for debt or damages, not to be discharged by reason of such arrest, but to be subject in person and property according to the provisions of this Act.

Judges of the superior courts of common law to make rules for the regulation of the courts of the Commissioners for carrying this Act into execution.

By the 87th and 88th clauses, it is provided, that when a creditor to the amount of 20*l.* shall make affidavit that the debt is due, and that an action has been or will be commenced against the debtor within four days, and that he believes the debtor will abscond to avoid payment of his debt unless he be forthwith apprehended, a Commissioner or a justice of the peace may issue his warrant to the sheriff for the immediate apprehension of the debtor.

But any person arrested may apply forthwith to a Judge or Commissioner, for a rule to shew cause why he should not be discharged out of custody.

The arrest or detention of any debtor after judgment obtained, is not to discharge any debtor from any debt, or affect any process against his property.

The sheriff may discharge a debtor arrested or continuing in custody after judgment, on his entering into a recognizance with two sufficient sureties in double the amount of the judgment; with condition that the debtor shall attend before the Commissioner to be examined, and that he will conform with the provisions of the Act.

Aliens, denizens, and women, to be subject to the Act.

Not to extend to Scotland and Ireland.

Such are the scrambling provisions of a Bill, attempting important purposes, and introduced under the auspices of one of the chief law officers of the crown, his Majesty's Solicitor General. All the world knows his ability and industry, and great learning. It cannot, therefore, be, that he is guilty of the weaknesses which are put forth under his name. This is only another evidence of the necessity of some arrangement, by which persons of competent skill shall be appointed to devote their energies exclusively to watching the workings of the legislative machine.

The present Bill has been amended by a committee of the House of Commons; in other words, perfected according to its apprehension of perfection. And yet are there glaring verbal errors, clauses thrust in without reference to the preceding and subsequent provisions, and different classes of provisions cast hither and thither in spite of all order or arrangement. An analysis at the commencement of the Act would have disclosed this defect; and an index might have served to remove many chances of dispute, by showing what parts of the Act were intended to have an immediate relation to others.

The language of the bill, though not comparable in profuseness to some Acts of Parliament, is still absurdly prolix; and many of the improvements which the Solicitor General has introduced into other bills, are omitted here. The bill is evidently a very hurried performance; and considering its highly important objects, and the keen interests opposed to the conduct of the government and its officers, is therefore in the case very censurable.

This single bill has three distinct objects; each of which would have been more appropriately made the subject of a separate bill, since the present practice does not admit of the convenient division into chapters.

The first object is to enable a party who obtains the judgment of a court of law, to lay hold of the property of his debtor for the liquidation of his debt.



The second is to enable the debtor to surrender all his property, in order to become released from his debts.

The third is to abolish imprisonment for debt except in certain cases of fraud or absconding.

The first and the second objects are to be accomplished by two different kinds of machinery; if the bill tells its own meaning, which is far from being certain. A Commissioner, to be appointed no one knows how, and a trustee, are the agents in the first case. The Commissioners of bankrupts, and official assignees to be appointed by the chancellor, are to be the agents in the second. In this last case, the whole property becomes liable to all the claims of all the creditors of the debtor. In the other, only so much of the property of the debtor, as will cover the particular debt of the particular creditor who obtains the judgment and the expenses of realizing his debt. A distinction however, not of much consequence;—since, when one creditor has obtained a judgment, the others will all rush to obtain a similar advantage, that they may have a share of the debtor's property before it is consumed by the claims and legal costs of rival creditors. Hence the embarrassed man will very early be driven to come within the second class of provisions, which provide for the voluntary yielding up of his property for his creditors benefit. In short, the object of the bill is to extend the laws of bankruptcy under another name to all insolvent persons; and it is right it should be so. But there are some conditions of the bill too harsh, others too lax. For instance, it is required that four-fifths in number and value of the creditors should sign the certificate of conformity. Why should the unfortunate debtor be left to the mercy of the petty spite of his creditor, if he have done all that an honest man could do. Of this, the court should be the judge, not the creditors; though with the latter should rest the power and opportunity of offering objections to such proceeding before it is taken.

On the other hand, in the penal clauses, there is no provision for the common case, of a man living habitually beyond his means, and by the aid of appearances artfully kept up, swindling his creditors. There are penalties for obtaining goods under the false pretence of trading, and for preventing fraudulent grants by debtors, and removing property; but none for the fraud of misrepresenting condition and circumstances, or future prospects, whether with or without the aid of other persons, or by documents. This, the commonest class of fraud, by which the unsuspecting confiding man who thinks not all evil of human nature, is in spite of all practicable caution often deceived, finds no provision in the bill.

So long as good feeling, friendship, the affection of relatives, and the general disposition of mankind to think well of others until they have been deceived, or unless they are themselves rogues, are not eradicated ; there ought to be some provision to check or punish the superior cunning of fraud.

In the Insolvent Court there must have been thousands of instances of such misconduct ; and therefore there is no excuse for a legislative blindness or indolence which can only see the surface, or will not labour to go beyond it.

The blunder of the present law is, that it imprisons all unfortunates to catch the rogue. The kind impression of the legislators,—themselves free from want, or roguishly availing themselves of their privilege to escape from the punishment they recklessly subject others to,—has been that an unfortunate man is always a scamp. Indiscretion, miscalculation, and dishonesty may be often nearly allied ; but they are not necessarily brothers.

Let inquiry precede imprisonment, and if the unfortunate be a rogue also, then punish.

The same sort of blunder is about to be repeated in this bill in a partial way. One of its provisions enables the creditor to obtain the arrest of his debtor upon his swearing that he believes the debtor is about to abscond ; and then it is provided, that if the debtor should bring an action for the arrest, the creditor must show that he had probable cause for believing that the party arrested was about to abscond.

Would it not be better to require in the first instance, that the creditor should convince the judge that there is probable cause, before the warrant for the arrest is granted. When arrest shall be more rare than it is now, its effects will be a hundred-fold more disastrous. The action may come too late to vindicate the poor man, whose ruin may have been effected by a reckless act of malice.

People's consciences are remarkably facile, when the swearing is to a matter of belief in their own favour ; and it is said that in Scotland, where people claim wiser consciences than others can pretend to, there is enough of this sort of credulity in this matter. It is possible, that the bill intended to put a check upon the oath of the party by requiring that the judge should be satisfied, and the arrest is not to follow as a matter of course upon the oath. But if it be so, there is an 'or' instead of an 'and,' to bely the intention. Prevention, says the proverb, is better than cure ; but in the law, the cure is in truth as well as in vulgar apprehension worse than the disease.

No amount of damages, would in a real case of injury of this sort compensate the mischief done.

There is too, in this set of the provisions, the usual fatuity regarding the money-value computation of justice. The privilege of arresting the debtor is only to be had by creditors whose debt amounts to 20*l*. What more easy than to incur debts short of that amount from a greater number of persons and then fly. The rogue that would abscond, would so adjust his arrangements as to escape this provision, and then no power could stop him. Now this is the very class of cases to be met. The fraud is the object as much as the debt. Besides, the poor man whose credits never exceed such small sums as 20*l*. will be injured, while the richer man is protected. Surely if there were representatives of the poor in the House of Commons, such things would not be.

Suppose the case of a servant, whose wages have been suffered to get in arrear, and who knows that his master meditates escape, and will leave him or her penniless, perhaps in debt. The profligate cannot be stopped, though the aggregate amount of such petty claims (to the poor servant, a large sum) should be hundreds.

These are not improbable suppositions; the rogues, legislative and others, have skill enough speedily to square matters to the necessity of their condition, while the tortoise-like movements of the legislature will require fifty years to cure the defect in the law presently to be made.

But the chief defect of the bill is its narrowness. It is founded upon no principle; nor is it an extension of the old system, on which most of its old provisions, especially those relating to the proceedings on the *cessio bonorum* of the debtor, are founded.

The ministers appear to have dared one step onwards; and, as usual, every new principle ventured upon, if carried to its legitimate extent, would destroy or supersede their whole measure by another of larger usefulness. They unwittingly afford precedent for further claims, and wonder then at the dissatisfaction of the claimants, whose pretensions are excited and justified by the partial admissions.

The preliminary step to the enactment of a law of this nature, ought to be to an investigation of the legal and customary methods of proceeding in cases of this kind, the difficulties that have rendered necessary the system of imprisonment for debt, and why men in fear and trembling adhere to a system of terror productive of so much evil.

The first and pre-eminent evil is the cost and difficulty of

suing a man for a just debt. There seems to be no reason, except the benefit which lawyers derive from a contrary practice, why a refractory man should not be summoned before a magistrate, and called upon to say why he should not pay the debt claimed; and if he have no answer to the demand, why the magistrate should not, in the manner of Courts of Conscience, order it to be paid in a given time. Appeals might be provided in doubtful cases, but these should be tried forthwith.

This is evil the first. The debtor should have no means of withholding the just claim of the creditor whatever its amount, nor should the creditor be empowered, by the oppressive cost of the law, to double the misfortunes of his debtor.

Lord Wynford, in one of his proposed reforms, suggested a very creditable improvement, that the judges should have the power of directing the payment of a debt by instalments, where the only motive for delay was present inability; and such power ought to be possessed. It would prevent many actions from being carried on to the latest stage, with the certain consequence of increasing the amount of the original debt, and therewith the inability of the debtor.

But the best plan would be, the establishment of a court, from which a person in falling or staggering circumstances arising from temporary pressure, might obtain either a suspension of proceedings against him, or the terms of paying to all his creditors by instalments, the full amount of their claims, conveying all his property in trust for the fulfilment of the terms imposed.

There are proceedings analogous to this, in general practice now; the Letter of Licence and the Deed of Composition. But the refractory conduct of any one creditor may prevent the timely use of such means of mercy, and the result be a bankruptcy, or the more eager pressure of claims, owing to the ascertained danger of the debtor's position.

If the failure of debtors arose in all cases from their own dishonesty or miscalculation, it might not be unwise to subject them to the full consequences of their own acts of carelessness; but as it may and too often does arise from the roguery or the failure of others, a merciful state of the law would provide a remedy, anticipating the worst effects of the harsh alternative of bankruptcy or insolvency.

Many men, in spite of great difficulty at the moment, have in the property or in the energies which in their position they can command, abundant present or prospective means of liquidating all claims, if they could be free for a time from the harassing importunities of others, who cannot, with safety, be made to see the difficulty of the case.

But let there be a bankruptcy and all the property sold at half its value, position and credit lost, and a broken spirit, with difficulties magnified with the diminution of means; and a man rarely rises again. The creditors perhaps, suffering from the ignorant or malicious impatience of one man, lose one half of their claims; and society has gained a lifeless or an immoral member.

The hesitation to look difficulties in the face, results from this harshness; a man will still hope on, in spite of the worst appearances; he trusts to fate, or the chances of life, and is ruined at last because no efficient means are offered of escape from disgrace.

If a man perceiving the ill condition of his affairs, but having been prudent in his expenditure, punctual and honest in his dealings, and with accounts accurately showing the course of them, could in a moment of pressure claim a suspension of payment without subjecting himself to bankruptcy, one half of the bankrupts would be saved; and the rest would probably be found to be imprudent, dishonest, and loose in the matter of accounts.

A distinction would be made between such men and the former, who now share the same bad name.

The yielding up of all the property of the debtor, is not in such a case the fair condition. The debtor loses too much, and the creditor does not get his own. This step should be the last, not the first. The breaking of anybody, should be a work of hesitation; not set about with technicalities enhancing the cost of the machinery, and robbing creditor and debtor both by dispensable charges; but a fair start or opportunity should be given of making terms, before the property is squandered in hopeless attempts to escape a bankruptcy, which the injudicious or oppressive conduct of creditors must eventually bring on.

If a man fail to pay within the period allowed in his letter of licence, or to discharge the conditions of his deed of composition, then let the law 'take its course.'

At present the number of these transactions is very great; but the management of them is difficult and costly, owing to the expenses of the law, and they are seldom resorted to till there is little hope of avoiding bankruptcy, when men of business often find it better to accept a little, than have recourse to the costly agency of the courts. No man, it is manifest, will go about begging all his creditors, large or small, to come into an arrangement which any one may defeat, until he is in extremity. An application to a court, composed of men of business acting upon known equitable views (not chancery views)

rather than upon mere technical considerations, would at least save a man from the degradation of imploring a creditor who has exchanged his previous habits of servility for a brutal malice, because he has no hope of future benefit.

Of course the power of such a court should only be exerted after an investigation into the means and probabilities of the debtor's position; and it might be made to depend in part, upon the consent of a certain proportion of his creditors, estimated either according to number or value, though that need not be an indispensable condition.

And as an inducement to the debtor to apply to the court before his affairs are too deeply embarrassed, the terms of indulgence should be more favourable to the early applicant.

What preliminaries and procedure should be adopted to further such a plan, must needs be a matter of special consideration; and it will behove all senators whose condition is likely to be affected sooner or later by the extension of the rule of bankruptcy to their own case, to urge on this consideration.

The whole question of the state of the law of debtor and creditor should be reviewed, not in relation to the case of one party only, but to the interests of all,—creditor, debtor, and public. But a committee upstairs, whose proceedings are not reported, is not the proper medium of such review. It should be conducted in the House, before the public eye.

One method of mitigating the evils of the system was some time ago proposed by Mr. Ayrton, in the publication placed at the head of this article; and as it is deserving of consideration on account of its practical character, it shall be quoted in his own words.

‘It is a fact well known to the mercantile world, that in a great majority of those cases in which merchants and traders stop payment, they and their creditors would enter into deeds of composition, and thereby secure a far greater dividend in a much shorter time than is possible after incurring the expense and suffering the delay consequent to a commission of bankruptcy, if they were not deterred by knowing that though a great majority of the creditors may be very desirous of vesting the property in the hands of trustees for the benefit of all, yet any one dissenting creditor can defeat their object, or obtain his own terms for acquiescing. Such being the case, I venture to submit, whether it would not be expedient to enable a majority of the creditors to bind the minority, by a bill, of which the following might be an outline of the leading enactments :—’

‘1. That when any trader, subject to the bankrupt laws, shall have stopped payment, it shall be lawful for him, with the consent of fifths in number and value of his creditors, to transfer, by deed, the whole of his real and personal property to two or more trustees for

the benefit of all his creditors, under such terms and conditions as shall be adopted in such deed ; and that such deed shall be binding on all his creditors, and shall not be an act of bankruptcy nor be subject to be invalidated by any prior act of bankruptcy.

‘ 2. That the trustees may appoint one barrister to whom all questions of law may be referred, and who, in any case of difficulty, may call in aid any of the King’s Counsel whom the trustees may select.

‘ 3. That against the decision of the barrister or barristers, there may be an appeal, by petition, to the Lord Chancellor or the Vice Chancellor.

‘ 4. That all persons acting under such deed shall be under the jurisdiction of the Lord Chancellor, on petition.

‘ 5. That such deeds shall not be liable to any stamp duty.

‘ It appears to me, that the alteration in the law here proposed is singularly important, and would prove one of the greatest boons that the legislature could confer upon traders, both those whose estates are unfortunately insolvent, and the creditors who are to receive their dividends out of the assets.’

‘ It should be observed, that a bill founded upon these principles would not in the slightest degree prevent or interfere with taking out a fiat in bankruptcy, where the majority of the creditors shall determine to have recourse to one ; its only effect would be to render the deed sure when a majority have resolved upon a composition. In such cases it would be unnecessary to have recourse to the present compulsory method of distributing the estates of insolvent traders by means of the complex machinery of a court of justice : it would relieve merchants from the vexation of being torn away from their immediate avocations, to have recourse to law and lawyers in such matters of private business as it is notorious could be more easily, more cheaply, and more expeditiously wound up by themselves. It would also avoid the absurdity and injustice of exacting heavy fees for the support of a court of law out of insolvent estates, already insufficient to meet existing demands, but which are often so reduced by law expenses, as to make the dividend a matter of indifference to the creditors.’

This method is good, except so far as it drives people into chancery. The concluding remark is too true. The expenses of the court of bankruptcy are too heavy, especially the fees for the commissions. The court should be maintained by the country. The official assignees are properly supported by fees proportioned to the amount of the property which passes through their hands. Still if creditors can manage the matter at less cost, they may get larger dividends, and the bankrupt have some chance of a surplus.

But all this does not hit the case of a mere suspension of payments, where the creditor has probable means of paying all claims on an early day.

The power of binding the whole body of creditors by the votes

of a majority in the case of a letter of licence, might also be established by law.

And then pretty nearly the sort of court would be obtained. Better to do without courts if possible, managed as they are now; for the chances are ten to one in favour of mere technical rules overcoming common sense, as long as such courts are composed of mere book-learned lawyers. It would be a different thing, if there were courts or chambers of commerce, as in other countries, competent to discharge all this kind of business. There is a liberality in the mode of thinking of commercial men, who have had much experience in affairs, and mayhap experience in their own persons, temporary pinches making them tremble for their own existence as men of credit. It is said that Mr. Ricardo, who doubled his fortune by the turn of events at the battle of Waterloo, would have lost all had matters gone differently. Have lawyers the charities that such experiences breed? It cannot be, that they should have much sympathy with sufferings which they see only in a brief. Of this the bill cited at the head of this article is a proof all convincing. There is no indication of charity in it from end to end, the leading idea being the interest of the creditor who can pay the fee.

Why should not the whole bankrupt and insolvent law be consolidated, and there be but one law and one court for that sort of thing? By a provision scarcely comprehensible, the judges are, by the proposed bill, to make the regulations for the new court; are not the judges of the court of review in bankruptcy competent to this object, which should be within their special province? If the subordinate Commissioners are to be employed, why should not their superiors the Judges be employed also? Another court and another, for each branch of law. Is this the fashion of reformers? It is sad work, multiplying at each step, and creating evils of the same kind in other forms, such as are pretended to be abolished.

There need not be violent apprehension, that this bill will be speedily passed, while corn-law and currency men, who tax others for their own extravagance, and fly to parliament to avoid their creditors, make so many of the legislators. But though the bill has good objects, and had perhaps better be than the law of imprisonment, yet such is the cost of making a change if the thing be wrong, (and what measure of the whigs is not wrong in amount of value, at least), that it is even desirable it should be subjected to some check, whereby the enlightened among the radicals may gain opportunity to whisper to the public, through its great whispering-gallery at St. Stephen's, what things should be added to it for the discomfiture of all



rogues of all denominations, and the helping of all honest unfortunates out of the same mire of disgrace and ruin, if there be possibility.

Nor is this bill a mere affair of routine business, deserving not the activity of parties. Its political importance equals that of the abolition of sinecures; it will bring no few swaggerers, whose only hope of existence is on public pelf, and who now thrive on appearances, to a state of sympathy with those who have been undone, injured, and oppressed, by their thoughtless or dishonest extravagance.

One word before concluding, upon the exemption of Ireland and Scotland from the operation of this bill. Be it protective or punitive, its operation should extend over the whole country. At all events it will be good to inquire what substitutes for this enactment exist in these quarters, so that there may be one measure of good for the whole country, accomplished by one effort of legislative wisdom. It is but within a little while that the writs of Ecclesiastical and Equity courts have been suffered to run into the sister countries; and after all, there is even a doubt whether the legislature intended to include Scotland in that act of common-sense wisdom, and accordingly the Court of Chancery has suspended its operation. As the question of the bankrupt laws of Scotland will now become matter of discussion, the whole question should be brought on together, and the principles on which the system of legislation regarding debtor and creditor should rest, explicitly announced. Hitherto the discussion has been conducted on the narrow ground of the mere abolition of imprisonment for debt; and the whigs, taking advantage of that, are disposed to give little more; but in order to the establishment of a better system that shall endure, a larger view must be taken. It is a silly policy to take so little as these men offer, when by a little urging, and a little delay, the whole thing may be secured. At least, let them know, while the little is accepted, that more will be asked for; and so no rest be given them, till all good and justice is obtained.

ART. VI.—1. *Histoire Parlementaire de la Révolution Française, ou Journal des Assemblées Nationales, depuis 1789 jusqu' en 1815, contenant la narration des événemens; les débats des Assemblées; les discussions des principales Sociétés populaires, et particulièrement de la Société des Jacobins; les procès-verbaux de la Commune de Paris; les Séances du Tribunal Révolutionnaire; le Compte-Rendu des principaux procès politiques; le détail des budgets annuels; le tableau du mouvement moral, extrait des journaux de chaque époque; précédée d'une Introduction sur l' Histoire de France jusqu' à la Convocation des Etats-Généraux.* Par B. I. B. Buchez, et P. C. Roux.—8vo. Paris. 1834.

2. *Histoire des Assemblées délibérantes, où l'on démontre leur marche au schisme des peuples, à l'élévation des gouvernemens tyranniques, et au renversement des rois constitutionnels.* Par M. Madrolle.—8vo. Paris. 1829.

3. *Rapport fait au nom de la Commission de Comptabilité, relatif à une demande du Propriétaire du Moniteur. Chambre des Députés, 12 Février 1834.*—8vo. Paris. 1834.

THE titles of the two histories, and that of the document concerning debates published in the *Moniteur*, are placed in juxtaposition above, in order to introduce some remarks upon a topic of no inconsiderable interest, namely, the reports of proceedings and speeches in the French Chambers; and those remarks will be found far from inapplicable to the existing system of parliamentary reporting in England.

The object of the work begun by MM. Buchez and Roux, and to be completed in above twenty volumes, will be appreciated from its full and explanatory title-page; and a longer account of its object will be offered presently.

The work of M. Madrolle was one of the frantic symptoms of the policy which produced the revolution of 1830, and deserves little attention except as being in the highest degree characteristic of the system advocated by the author and not yet abandoned by acuter men. The work modestly proposes to prohibit the publicity of all debates, where popular legislatures cannot by any contrivance be themselves abolished; and it records with infinite complacency, Napoleon's success in effecting what is thus recommended; a success however, be it remembered, that depended upon circumstances happily of rare occurrence, and upon compliances, which if more common, have turned out equally unprofitable to Napoleon and to his imitators.

The official document concerning the debates published in the *Moniteur*, is important from its connexion with the whole

subject of parliamentary reporting. It has already produced an unanswered attack upon one of the most mischievous frauds which public men can commit; and it will probably lead to a disclosure of opinions held extensively in private, which must be crushed by repeated public refutation before the subject can be satisfactorily settled.

The French are not better off than their neighbours, in regard to exactness in reporting parliamentary debates. But they are daily improving. The difficulty of making good reports is felt, as well as their value; and some errors formerly prevalent among men of fair public sentiments, as to the sacredness of parliamentary speakers from criticism, are now confined to a few individuals of less weight. No attempt will probably be ever renewed to abridge the facilities, such as they are, now enjoyed by the newspaper reporters for hearing debates, or to limit the discretion of their editors, in selecting such portions of those debates for publication, as in their judgment will satisfy their readers. But the accommodation of the general newspaper reporters for hearing is so imperfect, as to render their labours necessarily inefficient; and objections on account of expense, continue to prevail, against having such a short-hand record, in addition to the general newspaper reporters, as would stop the disgraceful consequences encouraged by the present system. It is scarcely necessary to say, that the *Moniteur*, which bears in some degree an official character, is not a record of this kind. Indeed none such exists in any country; and a recent discussion in the Chamber of Deputies, has only added to the proofs already known of, that the need of improvement is far greater than the disposition to adopt the necessary measures to introduce it. The discussion arose upon the contents of the document presented to the French Chamber of Deputies in February last. The proprietor of the *Moniteur* made a proposition, open certainly to great objections, to submit a copy of every report to each speaker in manuscript, in order that he might correct the mistakes of the short-hand writers. Printed copies of the corrected speech also, were to be afterwards furnished to him, in order that he might be at liberty to send them for publication to the general newspapers. A committee of the Chamber has opposed this proposition, on the ground of the increased expence of two hundred pounds per month to be incurred if it were adopted. The committee add incidentally only, what ought to have been the paramount objection. 'An inconvenience,' say they with the common misuse of gentle language in speaking of a scandalous abuse of things, would arise from the plan proposed, inasmuch as it

would enable the speaker to alter what he has spoken.' The debate upon this document however, exposed in plain terms enough, the way in which the French government turns the official version of parliamentary debates into a vehicle of political deception. 'The ministers,' said the Deputy M. Mercier, 'have at present in the *Moniteur*, the means of suppressing portions of their actual speeches, or of adding matter which they did not actually speak. Every Deputy present has heard them utter words and sentences here, which have disappeared from the reports.'—[*Moniteur*, 15th February, 1834, p. 321.] No attempt was made to deny the truth of this charge. The fact alleged is indeed notorious; for example, the Ministers have said one thing to please the Chamber of Deputies, and have inserted another in the *Moniteur* to satisfy foreign powers. Nor can the abuse be removed, so long as the official report has advantages denied to those which are not official; or so long as proper means are not taken to record in manuscript, as might be done, every word and action, uttered or done in a legislative assembly; which record would be a check upon all the printed reports alike. All experience shows, that probability of exposure alone, will stop malversation of this nature; and the most unsparing reprobation must be over and over again directed against the old hush-up system. How far that system was carried in regard to the Conseil d'Etat, when it almost held the place of the legislature in France, will be seen in an example, in which the original instrument in the fraud has come forward in a marvellous spirit of self-debasement, to denounce his own and his employers iniquities.

The flatterers of Napoleon expressly selected for their servile homage, the absolute publicity which they asserted him to have allowed to the discussions in the Conseil d'Etat, upon forming the civil code. 'Louis XIV,' they alleged, 'meant to conceal for ever the debates upon the legal reforms of 1667 and 1670.' 'But,' added Baron Locré in 1805, whose successive publications\* during nearly thirty years, curiously illustrate the subject—'how different is this dark distrust from the candour of our practice. At present the motives for a law are officially announced; the law itself is subjected to public discussion;

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\* *Esprit du Code Napoléon*. Par J. G. Locré, Secrétaire du Conseil d'Etat.—8vo. Paris. 1807. p. 12. Id. 4to. 1805, p. 11. See also the Paper printed by Camus in the *Moniteur*, 5 Fructidor, an 12.

*Esprit du Code de Commerce*. Par J. G. Locré.—8vo. Paris, 1811.

*Esprit du Code de Procédure Civile*. Par J. G. Locré, ancien Secrétaire du Conseil d'Etat et du Roi.—8vo. Paris. 1816.

*La Législation de la France*. Par M. le Baron Locré.—8vo. Paris. 1827-1832. 33 volumes.

above all, the civil code has been made with the most perfect abandonment of all disguise on the part of the legislator. Every original conception, every thought however crude and however personal, the legislator's very doubts and difficulties, all have been collected in the Journals of the Conseil d'Etat, every thing has been revealed.'

Incredible as it would appear without the very strongest proof, this boast is founded on fiction to an enormous extent. And more incredible still, the '*ancien Secrétaire du Conseil d'Etat et du Roi*,' when wishing to recommend a new literary performance, removes all doubt upon the matter by turning round, under the Bourbons, against his patron Napoleon, whom he accuses of having been the original culprit.

In 1816, after the Second Restoration, he began his disclosures; and in the introduction to the '*Esprit du Code de Procédure Civile*,' declared that he had not before published the discussions of the Conseil d'Etat on that particular code, from 'prudential motives well understood by all who lived in the times to which he referred.' 'However,' he continues, 'I contrived to cheat the spy, in the *Esprit du Code de Commerce*, without compromising myself.'—p. xiv. At this time, 1816, he repeats that '*all the debates* upon the Civil Code had been already published.'—Ib.

But in 1827, in order to recommend a new and voluminous publication, Baron Locré announces that he had not before printed *all those debates*; and the following curious revelation of the motives for enormous suppressions at the will of Napoleon, throws a violent suspicion over the whole work.

'I have often been asked,' says the Baron in the edition of 1827, 'the reason of the omission [in the first editions] of certain discussions during the year 1802, upon the publication of laws, upon civil rights, upon domicile, marriage, divorce, and adoption. I was compelled to conceal the reasons formerly; but I may now disclose them. Those discussions took place during the period of the disputes of Napoleon with the tribunes\*. The First Consul, not expecting to be subjected to criticism, had explained his sentiments with the utmost freedom, sometimes giving utterance to opinions equally bold and paradoxical. He had let himself out chiefly upon the subjects of divorce and adoption. Both bore upon his political designs, which however he was exceedingly anxious not to betray. No sooner was he at the summit of

\* *Tribune*, with reference to the French Chambers, has two meanings. It means the place which the speakers ascend to speak; and it means the galleries to which portions of the public are admitted. The last appears to be the meaning here. It means therefore the same that would be meant by a dispute between the government and the gallery of the House of Commons.—Editor.

power in France, than he had resolved to be its sovereign, whatever the title he should bear. But without successors of his own, he thought his sovereignty would necessarily become a feeble thing; and at that time he considered the adoption of the son of Louis Bonaparte as the only means in his power to supply the want of issue by his own marriage. The committee of the Conseil d'Etat knowing his secret wishes, used terms in compliance with them which have never been printed till now. If the words had been published, his views must have been disclosed, and the secret intention of the Consul to found a dynasty betrayed. He exhibited in his own speeches, great ingenuity in cloaking his real thoughts and ulterior objects under general speculations. Nevertheless even inattentive observers must have discovered, that in reality the object was to enable the First Consul to form a family, in connexion with the conversion of his Consulate into a sovereignty. It would therefore have been worse than imprudent to publish such things, at the time of the conflict which had just commenced with the tribunes. The publication of the debates upon various topics, would not have been without inconvenience. Incidents had occurred in those debates which an adversary might have taken advantage of, however unfairly. I felt this, and apprehensive that I might compromise myself whether I published the passages as ordered or whether I suppressed them, I went to the First Consul in order to communicate to him my difficulty. He anticipated me, saying upon my approach, "Have you sent the continuation of the Journals to the printer?" No, I replied, I come on the contrary to—"Do not print them then," continued Napoleon, "we will consider of it by and by."

'This suspension of the work was never however removed, and when, eight months afterwards, the debates on the Civil Code were revived, the First Consul let slip the following remark, which I took care not to insert in the Journals,—"It is possible, that in former debates the examination of the subject carried us too far." This was sign enough that he wished to condemn that portion of the Journals to oblivion.'

'Besides, his plan was now changed. He had conceived the project of adopting the son of his brother Louis by means of a political act proceeding from the Senate. The time of dissimulation was then gone by; that of accomplishing his designs was come.'

'It is thus apparent why large portions of the debates upon the Civil Code have not hitherto been published; and it will now be understood why, in those portions which have appeared in print, the beginning of a debate is not followed by its conclusion, or a conclusion not preceded by its beginning. It is therefore seen too, that the mutilated debates [*discussions tronquées*] contained in the Journals already printed, are the less valuable from the absence of the debates remaining unprinted. The whole of the first book, which is precisely the most interesting, is in this state. I took pains in the *Esprit du Code Civil*, to use the unprinted documents; but so much circumspec-

tion and timidity was unavoidable in what I did, that my limits were much too narrow for my matter\*.'

Such is the statement of the author who in 1816 had repeated in print that all the debates upon the Civil Code had been published, as in 1805 and 1807 he had deified Napoleon for the most perfect abandonment of all disguise in regard to the same Code.

The new '*Histoire Parlementaire de la Révolution Française*' by MM. Buchez and Roux, promises to correct scandals of this sort. They set out with the advantage of knowing the defects of the existing publications of the same kind.

'We will not,' they say, 'exaggerate the difficulties of our task. But silence upon the subject would justify an opinion that it had been supposed sufficient to consult the columns of the *Moniteur*. It is indeed a common belief that this journal contains the most complete collection of documents concerning the Revolution. Unfortunately the fact is not so. The *Moniteur* does not even report fully the debates of the National Assembly. In general we have taken from the *Moniteur*, only the narrative of the legislative proceedings. We have often had occasion to refer for matter to pamphlets printed secretly. Of this sort of sources, we have consulted above a thousand for the period antecedent to the 14th of July 1789. After that time, independent newspapers were established; but sets of them are difficult to be met with. Cases are known of some, of which perhaps but two copies exist.'—*Histoire Parlementaire de la Révolution Française*, Tom. ii, p. 4. *Préface*.

The plan of this work includes the debates of the principal popular clubs, the journals of the Commune of Paris, the most important proceedings before the Revolutionary Tribunal, according to the prospectus; and if it be executed with accuracy, the editors do not over-rate its value when they say it will become indispensable in every historical library.

The introductory volume of the three already published, should perhaps have been planned differently. Instead of a theory upon the somewhat disputable thesis, that 'the French Revolution is the last and best consequence of modern civilization, and modern civilization the simple result of the Gospel,' [*Introduction*, p. 1.] and of another still more disputable one, that in 'French nationality and catholicism' mankind have long found the grand means of civilization, [*vol. i. p. 8*],

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\* *La Législation de la France, ou Commentaire et Complément des Codes français, tirés des Procès-verbaux en partie inédits du Conseil d'Etat qui contiennent la discussion du Code Civil, &c. &c.*—*Par M. le Baron Locré, Ancien Secrétaire-Général du Conseil d'Etat, &c. &c. Paris. 1827. p. 91—100. Vol. 1.*

a more suitable and quite as useful a course would have been, to have presented the reader of this corrected Parliamentary History of the Revolution, with a clue to the vast stores of a somewhat similar kind known to exist in infinite confusion upon French history before the Revolution. Assuredly Frenchmen did not in 1789 for the first time open their mouths upon politics; although 1789 was a good point from which to take a new political departure. It is a mistake, not uncommon even with French writers, to refer to England exclusively for experience upon reporting the debates of public assemblies. Nevertheless an authority the other way, Budæus in his work on the Pandects published in the 16th century (fol. lxxxix), says distinctly that in his time it was the practice for short-hand writers to follow the most rapid speakers correctly; and this is far from being the only trace a limited inquiry has produced, of the existence of this practice in earlier days in France.

MM. Buchez and Roux may, however, have conceived the idea of a more valuable work than would have been produced by antiquarian research. The dissertations prefixed to each volume of the dry debates, upon the plan developed in the three volumes already published, may unquestionably be made highly useful, by showing how the French Revolution in its progress, as traceable through the discussions in its popular assemblies, affected society at large. But the grand object of the work announced is, to present the whole truth as far as it can now be ascertained, respecting the discussions themselves; and it will be great misdirection of talent, as well as a perversion of the work, to substitute what is merely accessory and speculative, in the place of any essential portions of the materials known to be wanting in the present records, and which materials it has been undertaken to restore. Except in the first half of the first volume, new speculations have been added with discretion; and should the future volumes exhibit equal ability with that which is displayed in the preparation of those already published, the statesman and philosopher will find in them a most convenient manual, and an inexhaustible treasure upon one important branch of modern French history. The work also cannot fail to afford a special lesson, never more wanted than at present, for improving the noting and publication of Parliamentary Debates. Proofs abound, that the proceedings of the successive popular assemblies in France were originally reported in a manner exceedingly corrupt and garbled. The work of MM. Buchez and Roux will set this fact in a strong light; and in pursuing their plan of illustrating past vices in order to lessen the chance of recurrence, it is to be expected



that the system of suppressing truth and suggesting falsehood in the reports of the Chambers, may receive correction from their labours.

These remarks are made in the simple spirit of universal citizenship which desires to obtain anywhere the means of keeping up the ball of mutual improvement. The way in which the flame of Free Trade from England has just taken hold at Bordeaux, is illustration to the purpose.

ART. VII.—1. *Earl Fitzwilliam's Address to the Land-owners of Great Britain on the Corn Laws. Republished, with permission, by Friends to Free Trade, and particularly to an Open Trade in Corn.*—London; Office of the Westminster Review, 5, Wellington Street, Strand; and Effingham Wilson, Royal Exchange. (For Circulation and for Sale.) Where Subscribers and Anti-Corn-Law Societies may receive any number of copies. 1834.

2. *Letters on the Corn Laws, and on the Rights of the Working Classes.* By H. B. T.—London; Clowes. 1834.

3. *The Corn-Law Magazine.*—Steill; Paternoster Row.

4. *The Quartern Loaf.* Edited by Timothy Oldacre. Nos. I and II.—Steill; Paternoster Row.

**T**HE land of any particular country, capable of raising food for man, is necessarily limited; but to the increase of its people there is no limitation, except the supply of food. But the new land capable of yielding food for man, or in other terms the principal machinery employed in the production of food, is not limited in extent only; it is also, as society and population advance, and contrary to what obtains with that machinery which is used in the working-up of raw material or in manufacturing industry, constantly decreasing in productive powers. Besides this, the lands of every country are of different degrees of natural fertility. The most productive are first employed, and as the demand for food increases, those next in order of natural advantages in succession; until at length the least productive, or those which furnish their produce at the highest cost, are from necessity had recourse to. As long as the fertile lands of a country are in sufficient abundance for all its inhabitants, it is obvious that the land as such, and distinct from the improvements produced upon it by labour or capital, is not worth exclusive appropriation. On the contrary, in a densely peopled society, a virtual monopoly is exercised by those who hold the land, whether such parties be, as in many countries of the East, the State itself, or as in European

countries, a particular class or caste of the people themselves. In this kingdom, the monopoly in question is exercised by a class of the people, and this powerful class, which in all times has had the principal share in making the laws, has enacted the Corn-laws, and other fiscal restrictions, the object of which has been to enhance the cost of the necessaries of life,—or to aggravate for their own advantage, the evils of the virtual monopoly, of which they were already in possession. This system commenced nearly 150 years ago, and has been generally aggravated in the proportion that the production of food has become more and more difficult and expensive, and consequently, in proportion as its price has increased, or as the natural evils of the monopoly have come to bear more hardly upon the body of the people. Such is the character of the Corn-laws.

Almost all the produce of the soil of England, is under one form or another protected from the competition of foreign produce. To begin with grain, the most important; the first and most essential point is, to determine how much the people of the United Kingdom are paying for their corn or bread, beyond what it would be necessary to pay did there exist no monopoly for the benefit or pretended benefit of the proprietors of the land. To do this, all that is requisite is to compare the price which we are compelled to pay for our whole consumption, with what is paid by other nations similarly circumstanced with ourselves. The difference will be the amount of the loss imposed on the people of the United Kingdom by the Corn-laws. All articles of necessity and luxury, duty excepted, are to be had as cheaply in London, as in the following places, which are therefore selected for comparison, viz.—Antwerp, Paris, Amsterdam, and Hamburgh. The total consumption of Great Britain and Ireland, in all sorts of grain, is commonly estimated at fifty-two millions of quarters; that is, twelve millions of quarters of wheat, and forty millions of rye, barley, oats, and pulses. For the purpose of comparison, the prices are taken for the month of January in the present year. The London price of all wheats on an average, was then 50s. 6d., and the average of all other grains, estimating the proportion of each supposed to be consumed, 25s. 6d. per quarter. Multiplying the quarters of grain by these prices, the total value of the whole grain consumed in the United Kingdom is 73,962,375*l*.

Now, in the same month of January, the London prices were in advance of those of Antwerp  $57\frac{1}{4}$  per cent, of those of Amsterdam 70 per cent, and of Hamburgh  $81\frac{1}{4}$  per cent. Thrown into a tabular form, the results are as follow.—

| Place.          | Cost at each several place. | London excess of cost beyond place in margin. |
|-----------------|-----------------------------|-----------------------------------------------|
| London . . . .  | £.73,962,375                | £.                                            |
| Antwerp . . . . | 47,034,896                  | 26,927,479                                    |
| Amsterdam . . . | 43,507,279                  | 30,455,096                                    |
| Hamburgh . . .  | 40,750,619                  | 33,211,756                                    |

The average excess of the London prices over the prices of the three continental ports quoted is  $69\frac{1}{2}$  per cent.; and the average excess will show that the people of England are paying a bread-tax of the very worst description, which exceeds thirty million pounds sterling per annum, a sum which is by two millions more than enough to pay the interest of the national debt.

The statement now given may be corroborated by a comparison of the prices of the foreign corn in London, in bond, and duty paid. In January last, the average price of all foreign wheats in bond was 31s. 6d.; while the free, or duty paid, was 52s. 8d., making a difference of above 67 per cent. This percentage reckoned upon the whole quantity of corn estimated to be consumed, makes a difference between the price at which corn might be had if there was no monopoly, of 29,726,506*l.*, a surprisingly near approximation to the estimate already made, if the precarious character of the corn-trade under the existing laws be taken into consideration.

Various objections of no great cogency have been urged against these estimates of the tax imposed upon the British nation by the Corn-laws and other accessory restrictions, as well as against the general policy of a free trade in corn. They shall be stated and refuted. The descriptions of corn compared, it is alleged, are, under the same name, articles of different quality and value, in England and abroad. If there were a free trade in corn in England, it is pretended that the continental prices would rise, and the English prices would fall but a little; the countries capable of yielding corn for foreign consumption, containing but a limited quantity of fertile land calculated to raise cheap corn. Lastly, it has been said, that it is unwise and impolitic in England to rely for any portion of her food upon foreign nations, because in the event of war, she might be starved by the foreign nations in question.

With respect to the first objection, which touches the comparative quality of the corn consumed abroad and in England, it would seem to argue, that we are the exclusive consumers of

fine corn. Now there is not a particle of truth in this. Considering that we pay a higher price for our corn than any other people, there may be very good reason for supposing that necessity may compel us to use more corn than others, but none whatever for imagining that we have the power of consuming a better kind. We do not, unquestionably, *grow* better corn than other nations. In the London market, the average price of all foreign wheats, and there are at least twenty kinds, was in January last 52s. 8d., while the average of all British wheats was but 50s. 6d.; which shows that the first were by upwards of 4 per cent better than the last. The fact is, that though agricultural skill will do a great deal towards the improvement of the quality of wheat and other corns, soil and climate will do still more. A hot summer of considerable duration is indispensably necessary, especially to the perfection of wheat. No skill has enabled the farmers of Scotland to raise wheat of equal quality with that which is the produce of the less skilful husbandry of Kent and Essex; and it is notorious that the miserable husbandry of Hindostan, and the careless agriculture of many parts of the United States and of Italy, produce wheats of the most exquisite quality. This argument respecting the difference of quality, is one which often has been had recourse to before by monopolists. The East India Company when it charged a hundred per cent upon its teas, insisted that this was no over-charge, because its teas under the same name were twice as good as the continental teas, according to the prices quoted for the latter at the very places, namely Antwerp, Amsterdam, and Hamburgh, which have been quoted for the prices of corn\*.

The second argument urged against the correctness of the estimate of the Corn-laws, is, the assertion, that if there existed a free trade in corn, the English prices would fall a little, and the continental prices would rise; and that as the corn supplying countries are limited in fertility and extent, the fall of prices in England would in the sequel be but inconsiderable. The period from 1773 to 1791, when there existed a virtual free trade in corn, is quoted in proof that there would be no great fall of prices in England, in the event of a free trade. The average price of wheat per imperial quarter in the Windsor market, for the 18 years which followed 1773, was 50s. 7d.; and the average price in England

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\* Dr. Smith mentions that for several years which followed the virtually free trade in corn established in 1773, there had been bad harvests, but in previous years the common contract price of wheat was no more than 28s. per quarter.

and Wales, for the eighteen years which followed the Corn-law of 1815, was 65s. 5d. The difference is no less than 14s. 10d., or near thirty per cent; which, on our whole consumption of corn, will amount to more than seventeen millions sterling; that is, we are paying at present, more for our own than we should do at the free trade prices which followed the Corn-law of 1773, by the sum of seventeen millions sterling and upwards. In making a comparison between the two periods, it must not be forgotten that the last of them has been one of uninterrupted peace, while of the first, from 1776, seven were years of war, and even in years of peace both freights and profits were high compared with what they are at present, and have been since 1815. England also, in the first period, had comparatively but few manufactures to exchange with foreign nations for their corn and other raw produce; while at home the great improvements in agricultural industry had not been accomplished, which tended to reduce the price of production.

There can be no question whatever, but that the demand for corn which the *sudden* opening of the English markets would give rise to on the continent, would have the effect of raising prices, for the obvious reason, that the existing production is not calculated to meet such an increased demand. Such an increase of price, however, could only be temporary, unless it can be shown that all the countries in the world calculated to produce cheap wheat and other corns, are not sufficient in extent to furnish the United Kingdom with the surplus corn, which would be required by her poorer lands being thrown out of culture. To suppose such a result, would be to imagine that corn is an exception to every other production of the soil, and that the principle which is applicable to every thing else, is inapplicable to it. Even with the small amount of our present importations of foreign corn, and fluctuating as the trade is, it appears, by official documents, that corn is imported from no less than three-and-twenty different places, from the shores of the Baltic, from the shores of the Black Sea, from the shores of the Mediterranean, from North America, from the Cape of Good Hope, from the central provinces of Hindostan, and even from the remote regions of Australia. The fact really is, that there is no commodity useful to man, of which the geographical limits are so extensive as the principal corns used for bread in Europe, especially wheat and barley. Both these corns have a wider geographical range than any other of the cereal grasses with the exception of maize. The production of both commences even at the level of the ocean, almost immediately north and

south of the tropic, and their growth is successfully prosecuted from thence up to the 55th degree of latitude. On table lands, elevated above the level of the sea from two to four thousand feet, of which there are extensive regions both in Asia and America, the culture of wheat and barley is successfully carried on within the tropics; and in America indeed, under the very equator. The culture of rye and oats does not commence until reaching the 20th degree of latitude, but then it extends to the 60th. As to the pulses, they can scarcely be said to have any geographical limit; an infinite variety of them being produced from the equator up to the 60th degree of latitude, as well on the level of the ocean as ten thousand feet above it. In short, whatever part of the world possesses a scanty population, tolerable fertility, and tolerable industry, will supply this country with food as long as there is any effectual demand for it. Nay, more than this, even countries tolerably populous, and of which the mass of the population are in a state of degradation and living themselves on inferior food, may furnish this country, and in fact do furnish it, with supplies of corn, especially wheat. Ireland, Poland, and Russia are examples; even the people of the United States, who from habit give a preference to maize, a productive and cheap corn, are for this reason enabled to furnish the foreign market with a larger supply of wheat than otherwise would be the case. The population of Prussia is at present about 150 to the square mile; that of Poland about 108; that of the Russian provinces on the Black Sea, vastly smaller than the last; while the territory of the American Union does not contain even 8 to the square mile. When all these countries and many others besides are as populous as England was about five-and-forty years ago, when it first became permanently an importing country;—when manufacturing industry has made the same progress as had then been made in England;—and when the habits of the people in respect of food and clothing approximate to those of the people of England during the last half century, there may be difficulty in procuring an increased supply of cheap foreign corn. These are things, however, which cannot take place for a good many generations; and when they *do*, the living will only be in the situation we are invited to be in now,—that of being obliged to be content without increased supplies of corn.

In order to invalidate the statement now made, it has been often insisted upon, that in the United States, the country of all others which possesses the widest scope of fertile and unoccupied land suited to the growth of corn, grain is commonly dearer than in the more populous countries lying on the Baltic,

and from that quarter therefore, although apparently the most promising, there is but small probability of England's deriving a large and permanent supply. Whatever the quotations may be (the average price of wheat per imperial quarter in January 1834, was 33s.) the large exports of corn from the United States afford a conclusive contradiction to this assertion. According to the official returns laid before Congress for the year 1828, the value of the different kinds of bread or bread-corn exported was as follows :—

|                             | Dollars.   |
|-----------------------------|------------|
| Wheat ... ..                | 6,730      |
| Wheat Flour .. ..           | 4,286,939  |
| Indian Corn.. ..            | 342,824    |
| Indian Meal .. ..           | 480,034    |
| Rye, Oats, Pulse, &c. .. .. | 67,997     |
| Rye-meal ... ..             | 59,036     |
| Rice .. ..                  | 2,670,696  |
| Biscuit .. ..               | 171,105    |
| <hr/>                       |            |
| Total, Dollars .. ..        | 8,085,361* |

We have here a yearly export exceeding 1,700,000*l.*, sent to upwards of forty different countries, embracing the four quarters of the world, and extending from the 56th degree of north latitude, across the equator, to the 40th of south latitude. Britain and her colonies receive a large amount of this supply. In 1831—2, the value exported in wheat, flour, Indian-corn, and meal, amounted in value to no less than 7,163,806 Spanish dollars, or to above a million and a half pounds sterling. The greatest part of what is received by England is imported for the purpose of exportation to our West India colonies, so that in reality it is cheap enough to bear the cost of a double voyage. What is sent direct to the West Indies, which in the last named year amounted in value to Spanish dollars 622,916, is loaded with heavy duties, in order to favour the dear and inferior produce of Canada. But even the Canadas themselves receive large supplies from the United States, to supply the place of the colonial produce exported from that country to England and her colonies, under the encouragement held out by the low duties imposed upon it. The value of wheat and maize, and of the flour of both, furnished by the United States to Canada in the year 1831—2 for this purpose, was 804,959 dollars. These proofs of the capacity of the United States to furnish cheap and abundant supplies of corn, are as satisfactory as they

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\* Commerce and Navigation of the United States, document No. 137.

are irrefragable. But suppose this were not true,—what then? The demand made is not for having corn whence it cannot be got, but for being allowed to get it where we can.

In proof of what is here stated, the commercial history of a few articles of the staple consumption of this and other European countries may be referred to. Fifty years ago, the consumption of tea in this country amounted to fifteen millions of pounds weight, and now it exceeds double that amount, while the price has considerably fallen. Yet this article is the produce of one country only, and in that one country only of three provinces out of eighteen, while the country is one of the most densely peopled of the whole world, and the article itself has been the subject of a very oppressive monopoly.

Forty years ago, the consumption of cotton-wool in this country certainly did not exceed twenty-five millions of lbs. weight yearly; at present, it is about twelve times that amount. In 1814, the quantity of raw cotton used in our manufactures little exceeded eighty millions of lbs; while the average price was 28*d*. The quantity has now increased to 296 millions of lbs, or is more than three and a half times as much as it was, and yet the price is less than one-fourth of what it was. Seventy parts out of a hundred of this enormous quantity of cotton is the produce of the United States of America, or rather of three or four of its southern provinces, not one of which fifty years ago produced a single pound for exportation, and indeed hardly even a pound for domestic consumption. The remainder is produced by four or five other countries, where, generally, the growth for foreign exportation is of still more recent origin than in the United States.

One other striking example may be given; which is coffee. Fifty years ago, the consumption of Europe and America would be very highly estimated at fifty thousand tons weight; at present, it certainly will not be over-estimated at three times that amount. This supply is derived from a very few countries, all of them within the tropics, and most of them in a semi-barbarous state; such as the West-Indian Islands, Brazil, Arabia, Java, the Philippines, &c., not one of which is within three thousand miles of Europe, while some of them are fifteen thousand miles from it. The consumption of coffee in England, in 1814, little exceeded six millions of lbs. weight; at present it exceeds twenty-two millions of lbs, the price having in the meanwhile fallen to about one half. The increase in this case is the more remarkable, since the consumption of the kingdom is almost exclusively confined to the produce of our own slave islands, the proprietors of which islands enjoy a monopoly of the English market, as is



sufficiently proved by the fact, that Jamaica coffee of the same quality is more valuable in the English market than Brazilian, in bond, by full fifty per cent. These facts are mentioned for the edification of a few pains-taking gentlemen, who, having groped over some corners of Europe, pronounce upon the faith of a microscopic examination, that the wide world is neither large enough nor fertile enough to yield corn sufficient to furnish this country with a moderate additional supply. But as was said before, what does it all point to,—what is to come of the argument? What, but that if we cannot get corn elsewhere, we must get it where we did before, and so the landlords will have an ungrudged monopoly, instead of one the country is ready to pull them to pieces for.

Nothing can be more extravagant, or indeed more absurd, than to suppose, that the small and precarious demand of England for foreign corn is proof that a large and permanent demand will raise prices throughout Europe and the rest of the world. On the average of the eighteen years from 1815, we have imported for consumption 1,288,341 quarters of all sorts of corn. Out of these eighteen years there are four in which we imported nothing, or next to nothing. In one year (1827) we imported nearly two millions of quarters, and the next year much less than one half of this amount. In 1830 we imported above 2,700,000 quarters, and in 1832 less than one-sixth of this amount. In 1833 we hardly imported at all. Foreign nations cannot grow corn for us on such terms. They cannot cultivate their lands on the possible contingency of our standing in need of a supply. Nations do not grow corn, or anything else, in order to produce gluts in one year and scarcities in another. If our demand for sugar, coffee, tea, cotton, or any other staple article of our consumption, were as fluctuating and precarious as our demand for corn, there would be the same difficulty, and indeed from the nature of the article, still greater difficulty, in procuring a supply. Of course we should be told in these cases, as we are in respect to corn, that the wide world is not big enough to satisfy our wants. At present, when the crops of England are deficient, we go to the foreign markets for a supply; and what we do there is to scramble for it with the regular trader. Of course the prices rise, because the supply was raised for a limited market.

Estimates have been made, of what corn would actually cost in this country, by adding freights, profits, and charges to the ordinary cost at such ports as Dantzic, Stettin, Odessa, and New York; and it has been argued from these fictitious statements, that it would be impossible to import corn into England under

certain high prices. These statements are flatly contradicted by the actual prices of corn at Antwerp, Amsterdam, and Ham-burgh, as already given. Such calculations, indeed, are in no respect to be relied on. Elements are obviously omitted in the calculation, which did not occur to the framers of them; for example,—in the event of a free trade in corn being established in this country, the importation of corn would form but a portion of a commercial adventure to the countries furnishing grain, which, being generally poor countries, would always be indebted to this country. The corn would be purchased with manufactured goods; and upon these manufactured goods the English merchant would put perhaps nearly the whole profit, viewing the return cargo, either in corn, timber, or other raw produce, as nothing more than the means of getting his funds remitted to him without loss. This is, in fact, the actual state of the American, Colonial, and other branches of the trade of the kingdom. In this manner even bulky articles are brought from very distant parts of the world to the English market, at a very small advance in their prime cost, and at prices which at first sight will hardly be considered as remunerating. Examples might be given in abundance. Thus pepper, which in India will cost 2*d.* per lb., is to be had in London for 3*d.* or 2½*d.*; and the clayed sugar which costs in Canton from 15*s.* to 20*s.*, will hardly fetch more than from 20*s.* to 25*s.* in the London market. The cotton-wool of the United States is to be had as cheap at Liverpool as at New York; and even the English advance upon the Havannah and New Orleans prices is not such as might be looked for in so bulky an article. These articles, however, must be imported, because bullion either cannot be had, or at such a price that a still greater loss would be sustained by its importation.

There is no country in the world, requiring from the density of its population a supply of foreign corn, which in truth has such ample means of securing that supply as this kingdom. In its cheap and excellent manufactures, it possesses the best means of paying for the corn it wants; and in its superior commercial enterprise, the superiority of its harbours, its navigation, its roads, canals, and railways, it possesses better means of securing cheapness than any European nation which requires a supply of foreign food. Every article of foreign produce, however distant and precarious the source of supply, provided it be not the subject of a monopoly, is (taxation excepted, in which we are always pre-eminent) cheaper in England than in any other European country, the sufficient proof of which is, that almost every one of these articles is re-exported, and some of them to a very

large extent ; and this too to the very emporia where corn is so much cheaper than it is with us.

Corn then,—instead of being, as it is, fifty per cent dearer than in France and Belgium, countries as populous or more populous than our own, or seventy per cent dearer than it is in Holland, a country which for two centuries has not yielded its own supply,—ought to be a great deal cheaper than in the two first, and a good deal cheaper than in the last. From all that has been stated, the following deductions may be very safely drawn ;—The supply of corn is inadequate to the demand ; and the people, stunted in the first necessary of life, are, therefore, always kept on the verge of scarcity. Our present supply of corn, which costs seventy-four million pounds per annum, ought not to cost beyond thirty millions, were we only as well supplied as nations similarly, or indeed less favourably, circumstanced than ourselves. In so far as corn is concerned, the tax paid by the nation amounts in round numbers to about thirty million pounds sterling. There are various ways in which the weight of this iniquitous impost may be stated. It amounts to two millions more than the interest of the national debt. It is a capitation tax, equal to 25s. for every man, woman, and child in the United Kingdom. It exceeds by eight millions the whole civil, naval, and military charges of the United Kingdom, effective and non-effective. It is ten times as great as the whole civil and military charges of the government of the American Union. Every sixpence by which the Corn-laws enhance the price of the quarter of grain is equal to a tax upon the people of this kingdom of 1,300,000*l.* Every additional shilling is a tax of 2,600,000*l.*, and every additional half-crown amounts to the enormous tax of six millions and a half ; a tax which is at the same time light on the rich, moderate on the middle classes, and heavy on the poor.

The argument that a free trade in corn would place the kingdom at the mercy of foreign nations for a supply of food, may be very briefly disposed of. We may almost as reasonably talk of raising our own food with our imperfect means and thus making ourselves independent of foreigners, as we might speak of manufacturing our own wine from our own hot-house grapes, or growing the tea we consume in green-houses, or the cotton-wool required for our manufactures in hot-beds, in order to be independent of the French, the Chinese, and the Americans. The principle is precisely the same ; the difference is only in the degree. To attempt to grow the whole of our own food is foolish and pernicious ; to attempt to furnish ourselves with wine, tea, and raw cotton from our own soil, is absurd and

extravagant. The practical fact is, that the countries which are obliged to receive their supplies of food from abroad, and which do not raise the whole of it upon their own soil, are those of all others which are most independent. It is in these that the price is most steady from year to year; and it is in these that dearths and famine are least likely to happen. A country which yields its own supply of corn and no more, is obviously in a most precarious state with respect to its food. A bad season would produce a scarcity, and two in succession would produce a famine. England, which attempts to exclude foreign corn, and which can only procure an adequate supply by forcing the growth of it at home at a high price from poor soils, is in a still more dependent condition. She has, in fact, been saved from these calamities repeatedly in the course of the present century, only by opening her ports for the reception of that foreign corn which she aims at being independent of. She has been saved only by relaxing that system of policy which she foolishly imagines conduces to national security. Examples of the benefits of a free trade in corn to nations in an advanced state of populousness, are numerous in every part of the world. In Europe, Holland is the most remarkable example. She may be stated to have been an importing country for more than two centuries back, and in all this time has not been subjected to famine, and rarely even to a scarcity. A recent and very authentic case, although upon a small scale, may be quoted as a very remarkable illustration. About fifteen years ago, the British settlement of Singapore was planted in a desert island, surrounded by deserts, not within 500 miles of any country that could furnish it with corn, and not within 1,000 of any that could furnish it with an adequate supply. It contains at present upwards of 20,000 inhabitants, and still does not yield one blade of corn. Notwithstanding all this, a trade perfectly free, and a central situation, have secured not only a sufficient supply of corn for its own consumption, but also a very considerable one for re-exportation. This is not all. The prices have been remarkable for their steadiness from year to year; and while the surrounding tribes and nations have been visited with scarcities and corn famines, it has not only been wholly free from these calamities, but has not even experienced the inconvenience of high prices, nor been alarmed by the apprehension of a scarcity. The average price of rice may generally be quoted at not more than 4s. 6d. per cwt, while the average price of wheat does not exceed 25s. per quarter, although that commodity is brought from Calcutta, a distance of two thousand miles, to which place it has been already conveyed 500 miles, from the interior of India, by the waters of the

Ganges. *Think what would happen, if a landed qualification were required in the governors of Singapore.*

A country which supplies other countries with corn, is in reality more dependent upon the nations which receive, than these can be upon it. But even to such countries, a free trade in corn is of vast advantage. The rich plain of the lower Ganges, which had been the repeated victim of famine before it had the benefit of a free export of corn and a larger foreign commerce to make the advantage of freedom available, has now, with a large export trade in corn, not been afflicted by a famine or scarcity for sixty years. Another populous part of India,—the provinces under Madras,—are at the present moment suffering from famine, and have done so repeatedly within the last fifty years, and chiefly in consequence of the existence of a public monopoly of salt, which will not admit of its being exchanged for the cheap corn of the fertile provinces under the same British administration.

There is nothing indeed that can secure nations in a certain state of advancement from the calamities of scarcity and famine, but an unrestrained freedom of the trade of food, with of course the means of applying the principle. The Chinese Empire affords a very remarkable illustration of this. There is no country more liable to scarcities and famines than this populous part of the world, which is always on the brink of scarcity, from having its own resources only to rely upon. This does not arise from the people or the government being insensible to the advantages of a supply from abroad, or from the vain desire of being independent of strangers; for the Chinese actually give a bounty on the importation of grain, by relieving ships with full cargoes from all charges. The real cause is, that China has no foreign commerce of its own that could produce any sensible effect in supplying so vast a country with food when it wanted it, while it places the commerce and navigation of foreign nations under such restraints that they cannot supply the place. A highly-peopled country without foreign commerce, and a highly-peopled country that will not allow of foreign trade in corn, are placed pretty nearly in the same predicament as barbarous countries destitute of roads, canals, and other modes of internal communication. The superabundance of one province cannot be brought to relieve the scarcity of another. Russia is, at this moment, in the situation in question. A famine is raging in her southern provinces, while there is abundance in the northern.

So much for our consumption of mere grain, including nothing but corn and pulses. This is, however, very far from being the extent of the monopoly claimed and exercised by the proprietors

of the land. It would be difficult to quote a single article of the vegetable, mineral, or animal kingdom, that is not guarded against foreign competition, either by prohibitions, or by heavy duties. Sir Henry Parnell has enumerated twenty-nine articles, but the list may be greatly extended; and as the exposure is worth making, the following example of a completer catalogue is furnished, under the two heads of Agriculture and Mining.

#### AGRICULTURE.

|                   |                         |                        |
|-------------------|-------------------------|------------------------|
| Timber            | Sturgeon                | Barks                  |
| Seeds             | Box-wood                | Garden fruits          |
| Garden Vegetables | Nuts                    | Ilops                  |
| Hay               | Hair-powder             | Maddler                |
| Bulrushes         | Hemp-seed               | Macaroni               |
| Vegetable Oils    | Camomile-flowers        | Clover and Hay seeds   |
| Cider             | Potatoes                | Spirits distilled from |
| Beer              | Truffles                | corn                   |
| Cheese            | Perry                   | Butter                 |
| Horns             | Bacon                   | Hair                   |
| Honey             | Bristles                | Bones                  |
| Asses             | Hoofs                   | Lard                   |
| Mules             | Wax                     | Horses                 |
| Tallow            | Hides                   | Skins                  |
| Eggs              | Poultry                 | Game                   |
| Wool              | Leather                 | Singing-birds          |
| Grease            | Furriers waste          | Feathers, Quills       |
| Sausages          | Tails, ox, buffalo, &c. | Tongues                |
| Bels              | Oysters                 | Stock-fish             |

#### MINING.

|              |                  |                |
|--------------|------------------|----------------|
| Ores of Iron | Mill-stones      | Brimstone      |
| Do. Copper   | Querne-stones    | Chalk          |
| Do. Lead     | Filtering-stones | Cinders        |
| Do. Tin      | Grave-stones     | Culm           |
| Do. Antimony | Limestone        | Bricks         |
| Do. Zinc     | Pebble-stones    | Tiles          |
| Copperas     | Polishing-stones | Clinkers       |
| Gypsum       | Touch-stones     | Slates         |
| Alkalies     | Marble blocks    | Orpiment       |
| Black-lead   | Crystal rough    | Talc           |
| Burr-stones  | Fossils          | Mineral Waters |

Here then is a list of above ninety articles of the produce of the agriculture, mining, or fisheries of the kingdom; of articles, in short, upon which rent depends. But these are only such as are protected by the imposition of heavy duties upon the same articles of foreign produce. There are however, many taxed articles of foreign produce which, although not identical with the British, correspond with them and are used as substitutes. The following is a list of a few of these.—

|            |                      |                      |
|------------|----------------------|----------------------|
| Rice       | Maize or Indian Corn | Sago and Arrow-root  |
| Cocoa-nuts | Oranges and Lemons   | Currants and Raisins |
| Grapes     | Prunes               | Barilla              |
| Potashes   | Other Alkalies       | Rum                  |
| Brandy     | Fixed vegetable Oils | Animal Oils          |

But besides the articles now enumerated, there is a tolerably comprehensive list of prohibited ones, and for the most part consisting of food; thus—

|              |            |                   |
|--------------|------------|-------------------|
| Beef         | Lamb       | Mutton            |
| Pork         | Sheep      | Swine             |
| Black Cattle | Fresh Fish | Foreign Salt Fish |

On this last list, it is to be observed, that the luxuries of live eels, sturgeon, oysters, anchovies, and caviare, are admissible on paying a duty; while turbot, lobsters, and, it is believed, green turtle, enjoy the aristocratic privilege of being imported duty free, even in a foreign bottom and when taken by foreigners.

The duties charged on several of the articles above enumerated are unreasonable and extravagant; of which a few samples will suffice to satisfy the reader, as follows:—

|                            |    |    |   |     |            |              |
|----------------------------|----|----|---|-----|------------|--------------|
| Fir, Memel, per load,....  | £2 | 5  | 0 | ... | ad valorem | 55 per cent. |
| Rum, per gallon, .....     | 0  | 8  | 6 | ... | „          | 300 „        |
| Brandy, „ .....            | 1  | 2  | 6 | ... | „          | 580 „        |
| Geneva, „ .....            | 1  | 2  | 6 | ... | „          | 950 „        |
| Butter, Dutch, per cwt.... | 1  | 0  | 0 | ... | „          | 36 „         |
| Cheese, Dutch, „ ...       | 0  | 10 | 6 | ... | „          | 30 „         |
| Rice, Carolina, „ ...      | 0  | 15 | 0 | ... | „          | 50 „         |

To this may be added, in further illustration, the total amount of duty collected on a few of the articles on which the rate of duty does not operate as an actual prohibition.

|                              |           |
|------------------------------|-----------|
| Butter, .. .. .              | £128,293  |
| Cheese, .. .. .              | 69,049    |
| Currants and Raisins .. .. . | 465,144   |
| Hides and Skins, .. .. .     | 43,190    |
| Timber, .. .. .              | 1,238,289 |
| Tallow, .. .. .              | 180,000   |
| Wool, .. .. .                | 120,000   |
| Seeds, garden &c. .. .. .    | 135,000   |
| Bristles .. .. .             | 27,000    |
| Eggs, .. .. .                | 20,000    |
| Nuts, .. .. .                | 20,000    |
| Rum, .. .. .                 | 1,580,380 |
| Brandy and Geneva .. .. .    | 1,857,717 |

If there be added to the duties on this class of articles the monopoly price paid for timber and for rum, the sum total of all imposts paid by the people for the mere protection of the agricultural interest will not be less than eight millions per

annum. This, added to the monopoly price paid for corn, will make a sum of thirty-eight millions; but the price paid by the people in consequence of prohibited articles, including almost every description of food, must still be added. It may be conjectured that seven millions more will not be too high an estimate for this; and, in such a case, the entire contribution paid by the people in the attempt to bolster up the rents of the landed aristocracy, will be five and forty millions per annum.

In so far as Great Britain is concerned, the evil of the Corn-laws has been mitigated by the importation of food from Ireland. The population of Ireland, although as dense as that of Great Britain, is content to subsist in wretchedness upon a miserable diet,—upon potatoes, milk, and now and then a salt herring; they can, therefore, afford to send their corn, their cattle, and the produce of their dairy to Great Britain, along with their surplus population, all to swell the rent-roll of the Irish proprietors. In 1830, the value of animal and vegetable food imported into Great Britain from Ireland, has been estimated at about nine millions sterling, upon which the duty which would have accrued had the produce been foreign, would have exceeded four millions per annum.

The immediate evils inflicted by the Corn-laws become the next point for consideration; and that consideration will properly commence with their operation on the labouring classes of society, that is to say, upon the mass of the people. The Corn-laws impose a light tax upon the rich; a moderate tax, however unjust a one, on the middle classes; but are a grievous and oppressive burthen on the lower classes,—that is, they fall heaviest on those who are least able to bear them. There is no impost that can possibly be levied upon a people, that bears this mischievous character in so excessive a degree as the tax on the first necessary of life. This may be easily illustrated by examples. A labourer, or mechanic, earning forty pounds a-year, and with a wife and four children, will expend twenty pounds, or one half of his income, in bread alone, or, at least, in bread and substitutes for bread. If we suppose that one-half of these twenty pounds arises out of the enhanced price produced by the operation of the Corn-laws, then the labourer and mechanic thus situated, is paying ten pounds a-year for the purpose of propping up the landlords rents; in short the labourer is paying an income tax of twenty-five per cent., or double the highest rate which was paid by the middle and upper classes of society in the most extravagant moments of the late war; and all this without including the charges to which he is subjected by the fiscal regulations accessory to the Corn-laws.



The results to be deduced from the table thus given may be shortly stated. We supply a foreign population of 130 millions and upwards, with no more than twelve millions and a half of British produce and manufactures; and nearly one-half of this amount is supplied to thirteen millions, leaving the supply of the remaining 120 millions at the rate of about a shilling per head. In the short period of thirteen years, after our own population had increased by five millions in number, and an increase at least corresponding to it in extent had taken place in the consumers, while incalculable improvements have been made in our manufacturing industry, our commerce has not only not increased, but absolutely declined by a sum approaching to four millions sterling. The enormous price paid for this by England in dear corn and dear timber, has been sufficiently described. In lieu of the commercial losses we have sustained in our commerce with the United States and the northern nations, we have gained somewhat in our intercourse with Canada. In 1817, the value of British produce and manufactures exported to that country and to our possessions in North America, was 1,515,317*l.*; and in 1830 it had increased to 1,857,133*l.*, so that the increase was 341,816*l.* Deducted from our losses in the American and Northern trade, it leaves us minus by very nearly three millions and a half per annum. In so far then as our foreign trade is concerned, the Corn-laws and their accessories may very safely be described as what is technically called a discriminating duty, imposed upon British manufactures for the encouragement of foreign manufactures, and the consequent discouragement of British commerce, manufactures, and navigation. Out of them have sprung the Russian, Prussian, and American manufactures,—branches of industry utterly incompatible with the state of society in such countries. Out of them have sprung the heavy duties on British fabrics levied by Russia; the commercial combination in Germany against us, headed by Prussia; and, above all, the American tariff. Such are the evils which spring from the power of a blind and selfish oligarchy.

Nothing can exceed the justice and the acuteness of the terms in which such taxes as those imposed upon a people by the Corn-laws are denounced by the celebrated Author of the 'Wealth of Nations;' and his observations are the more valuable since they were made sixty years ago, when this country was comparatively lightly taxed, and at a period too, when there virtually existed no Corn-law.—'Taxes on the necessities of life, have nearly the same effect upon the circumstances of the people as a poor soil and a bad climate. Provisions are

machinery, the labour of three or four individuals is required when one would suffice, leaving the remainder to be more beneficially employed elsewhere. We might as well go back to the rock and the distaff, and break up the machinery invented by the Arkwrights and the Hargraves, as proceed in the unprofitable course of raising corn from sterile lands that nature never meant for the purpose. Earl Fitzwilliam, in his spirited and liberal letter to the land-owners of England, gives a striking example of the injurious effects of the Corn-laws upon agricultural industry. He says, that the loss annually sustained upon the mere seed-corn, used throughout the kingdom, cannot be computed at less than one million sterling. This million might, of course, just as well be buried in the depths of the Atlantic. Let the reader fancy what would be the effect upon our manufacturing industry,—upon the manufacture of cotton, for example,—were a million every year sunk upon the raw material, to oblige the importer. It is pretty clear that, if such were the case, we could no longer compete with foreigners. Not only would the price of all cotton fabrics rise among ourselves, but our eighteen millions worth of exports would soon cease, being necessarily supplanted by the cheaper manufactures of wiser nations.

With respect to the influence of the Corn-laws in limiting our manufactures, our commerce, and our navigation, reference will be had to the practical illustration afforded by the public records. It is hardly necessary to call to the reader's recollection, that the present Corn-laws were, in substance, enacted in 1815. Two years before, the last hand was put to the timber monopoly, part and parcel of the same system. The following table exhibits the results, on a comparison of our exports to the corn-producing nations in 1817 and in 1830.

| Country.                     | Population.        | Exports of British produce and manufactures, in declared value. |                   | Thirteen years difference. |        |
|------------------------------|--------------------|-----------------------------------------------------------------|-------------------|----------------------------|--------|
|                              |                    | 1817.                                                           | 1830.             | Decrease                   | Incr.  |
|                              |                    | £.                                                              | £.                | £.                         |        |
| Russia .....                 | 56,500,000         | 3,045,475                                                       | 1,489,538         | 1,555,937                  |        |
| Denmark .....                | 1,950,000          | 250,834                                                         | 118,813           | 132,021                    |        |
| Prussia .....                | 12,464,000         | 518,539                                                         | 177,923           | 340,616                    |        |
| Austria .....                | 32,000,000         | 5,433,010                                                       | 4,463,605         | 969,405                    | 16,875 |
| German Confederation .....   | 13,900,000         |                                                                 |                   |                            |        |
| Sweden .....                 | 2,800,000          | 43,831                                                          | 40,488            | 3,343                      |        |
| Norway .....                 | 1,050,000          | 47,051                                                          | 63,926            |                            |        |
| United States of America ... | 13,000,000         | 6,930,360                                                       | 6,132,346         | 798,014                    |        |
|                              |                    |                                                                 |                   | 3,799,336                  |        |
|                              |                    |                                                                 |                   | 16,875                     |        |
| <b>Total .....</b>           | <b>133,664,000</b> | <b>16,269,100</b>                                               | <b>12,486,639</b> | <b>3,782,461</b>           |        |

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Nothing can exceed the justice and the acuteness of the terms in which such taxes as those imposed upon a people by the Corn-laws are denounced by the celebrated Author of the 'Wealth of Nations;' and his observations are the more valuable since they were made sixty years ago, when this country was comparatively lightly taxed, and at a period too, when there virtually existed no Corn-law.—'Taxes on the necessities of life, have nearly the same effect upon the circumstances of the people as a poor soil and a bad climate. Provisions are

thereby rendered dearer, in the same manner as if it required extraordinary labour and expense to raise them. Such taxes, when they have grown up to a certain height, are a curse equal to the barrenness of the earth and the inclemency of the heavens; and yet it is in the richest and most industrious countries, that they have been most generally imposed. No other countries could support so great a disorder. As the strongest bodies only can live and enjoy health under an unwholesome regimen, so the nations only that, in every sort of industry, have the greatest natural and acquired advantages, can subsist and prosper under such taxes. Holland is the country in Europe in which they abound most, and which, from peculiar circumstances, continues to prosper, not by means of them, but in spite of them\*.' In another part of his work he says, 'Taxes upon the necessities of life are much higher in many other countries than in Great Britain. Duties upon flour and meal when ground at the mill, and upon bread when baked at the oven, take place in many countries. In Holland, the money-price of the bread consumed in towns is supposed to be doubled by means of such taxes. These, and some other taxes of the same kind, by raising the price of labour, are said to have ruined the greater part of the manufactures of Holland. A French author, of some note,' continues Dr. Smith, 'has proposed to reform the finances of his country, by substituting, in the room of the greater part of other taxes, this most ruinous of all taxes. "There is nothing so absurd," says Cicero, "which has not sometimes been asserted by some philosophers†."

The tax on grinding corn at the mill continues in Holland to the present day; and being extended by the Dutch government to Belgium, was one of the main causes publicly stated to have brought about the barricades of Brussels, the revolution of 1830, and the ultimate separation of the two countries. The bad pre-eminence however, ascribed by the author of the 'Wealth of Nations' to Holland, is no longer true of that country. Notwithstanding the operation of the flour-tax (the *mouture*), bread is actually greatly cheaper at all times in Holland than it is in England; and the important distinction must not be lost sight of, that the direct tax on bread is all levied for, and all received by, the state; whereas the imposition levied upon the people through the operation of the Corn-laws, is for the most part wasted; a mere fraction, if indeed substantially any at all, being received, not by the public, but by a class or caste.

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\* Wealth of Nations, Book iv, Chapter 2.

† Wealth of Nations, Book v, Chapter 2.

Confining the loss brought on the people by the Corn-laws to that which arises on the consumption of grain only, and excluding the injuries inflicted by fiscal restrictions on other articles of food, attempts have been made to estimate the gain of the landlords, or the augmentation of rent which they derive from the evil inflicted on the rest of the community. Two millions sterling is the highest sum, which has been spoken of\*. The Corn-laws have been now in existence eighteen years, and the result, according to the testimony of a Report of the House of Commons, and indeed according to the assertion of all the advocates of these laws, has been to injure the landlords, to impoverish the farmers, and to increase pauperism among the labourers;—in short, to produce general agricultural distress. If there be truth in these statements, it may be doubted whether the landlords have even gained the small pittance of two millions a-year, or whether, having gained it, it has not been paid out of the capital invested by the farmers in the land. Supposing it however to have been paid from some source or another, the results are not flattering to the patriotism of the landlords, and may thus be briefly described. A tax of thirty millions, falling chiefly on the poor, is paid by the nation, in order to put two millions into the pockets of one class of the people, and that class, in point of numbers at least, but an inconsiderable fraction of the whole population. The charge for collection in this case is a sum sufficient to pay the interest of the national debt. The charge for collecting the taxes of the State does not exceed six per cent. The charge for collecting this tax for the landlords is 1400 per cent. For every pound taken out of our pockets, the landed aristocracy contrives to pocket sixteen-pence. Taking the whole rental of the land of the United Kingdom, exclusive of houses and mines, as has usually been done, at forty millions, the landlords, after all, add to the rents by the Corn-laws little more than five per cent. What becomes of the balance of twenty-eight millions? It is utterly wasted in the vain and unproductive process of forcing the growth of corn in sterile lands, or by a bad machinery; by the investment of expensive capital, and the employment of factitiously dear labour. It is a more pernicious national waste than if the sums were raised by ordinary taxation, and made a gift of annually to the emperor of China for suppressing insurrections in Tartary, or to him of Russia for cutting the

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\* A Dictionary of Commerce and Commercial Navigation, by J. R. McCulloch, Esq. 1832, page 390.

throats of the Poles or transporting them to Siberia. It is infinitely more mischievous than if the whole thirty millions were levied by the State by a less exceptionable process and presented to the landlords, leaving the trade in corn free and unshackled.

It has been asserted, that the farmers, or the parties whose capital is invested in agriculture, are interested in the continuance of the Corn-laws. Nothing can be more extravagant than such a supposition. Considered as an abstract question, it is impossible that the capitalist can be benefited by investing his funds in a bad machinery, in employing unproductive capital, or in using dear labour. The necessity he is under of doing all this, inevitably produces a bad system of husbandry, which can be of no more advantage to him than it would be to the cotton manufacturer to discard the power-loom and discharge the few intelligent hands employed in working it, and have recourse to the hand-loom and the numerous high-paid weavers that his predecessors employed twenty years ago. The only class of farmers, and it is very doubtful even with respect to these, that can be supposed interested in the continuance of the Corn-laws, are those who hold leases;—a small minority of the farmers of the kingdom. These during the currency of their leases, are in the power of proprietors; and during the currency of their leases, and in so far as they protect the latter from the fall in rents, may be said to have an interest in the Corn-laws. But even these, according to the Report of the Select Committee on Agriculture, have been ruined by the operation of the Corn-laws; so that they have in fact been paying rent, not for the legitimate use of the land and its fixed stock, but out of their own capital. As to the rest of the farmers of the United Kingdom, there is not the shadow of a foundation, whatever the proprietors may tell them to the contrary, for imagining them to be interested in the continuance of the Corn-laws; unless it can be made out that men are interested in continuing to invest capital, in the slovenly and unproductive employment which agriculture must ever be under the operation of such laws.

Granting, however, for argument's sake, that every occupant in the United Kingdom, whether landlord or tenant, had an interest in maintaining the bread-monopoly, it may be fairly and honestly asked, what right a small minority of the people can have, in any well ordered state of society, to impose a pernicious impost upon the great majority, for their own exclusive advantage. The total number in Great Britain, belonging to the class of occupiers of land, are reckoned to amount

to no more than about 250,000 families, being about one-thirteenth part of the population. What right can 250,000 families (whatever their rank or consequence) have, to pick the pockets of the remaining three millions and upwards? Out of this number of agricultural occupiers however, probably not a fifth part belong to the proprietary class. It is this last number, some 50,000, that alone benefit (however minute the amount of the benefit) by the scourge of the Corn-laws. The only right they have had to plunder their fellow-subjects, has been the right of the strongest. They have enjoyed, for at least a century and a half, and unhappily they enjoy it still, the power of making the laws, and the use they have made of this power has been to legislate for their own exclusive profit.

But, it is alleged by the landholders, that in consideration of the peculiar and exclusive burthens to which they are subjected, they are entitled to the protection afforded them by the Corn-laws. They claim either to be exempted from the supposed burthens, or to be vested with a monopoly of meting out dear bread to their countrymen. This question, from the delusions which have been carefully inculcated on the public mind with regard to it, demands a more serious exposure than in reason and common-sense it is entitled to. The peculiar burthens which are supposed to be borne by the proprietors of the land, are tithes, the poor's-rates, and the land-tax. Now every one of these burthens, except the first, is borne equally by the inhabitants of the towns as by the proprietors of the land. With respect to the clerical tithes, they may truly be said to be a portion of the rent given away in this country from time immemorial. They were possessed by the Catholic priesthood, as they are now possessed by the Protestant priesthood. They are, in fact, pretty nearly contemporary with christianity. The tithes are the property of the State, and if the community willed it, the proceeds which are applied to-day to the payment of the ecclesiastical establishment of a part of the people, might tomorrow be employed in paying the military establishment necessary for the defence of the whole people, or indeed for any other purpose. Of the tithes thus complained of as a peculiar burthen, it is remarkable, that a very considerable portion of them, commonly estimated at one-fourth part, that is, the lay-tithes, is absolutely enjoyed by the proprietors of the land themselves, the very parties who complain. Another considerable portion of the same proprietors enjoy a large share of the church patronage, of which the tithes constitute by far the most considerable

part, and this patronage they dispose of as freely for money as they let their farms for a rent.

Then come the poor-rates. They do not exist at all in Ireland, nor in Scotland in their abuses; therefore the Scotch and Irish proprietors are not parties. They have been a tax on rural property in England and Wales, since the forty-third year of the reign of Queen Elizabeth, or for above 230 years, but all this time they have been equally imposed upon towns. The landlords made the poor-laws, even in all their most pernicious modifications. The laws which they themselves made, they and their tenantry have had the administration of in the country. They are more burthensome, because less skilfully administered in the country than in the towns.

Next come the county and parochial rates. Towns contribute to the first as well as the rural districts; and the parishes of a city or town have their local burthens as well as the parishes in the country. If the latter have to provide for the repair of roads and bridges, the towns have to provide for paving, lighting, cleansing, and watering. The parties in both cases receive a distinct benefit, or the expenditure would not be made. The merchant who sends his goods to market and receives a return cargo, might as well complain of the necessary freight paid to the ship-owner, as the land-owner complain of the expense of making and repairing the roads and bridges, by which he sends his corn and cattle to market, and receives his supply of other necessaries in return.

Lastly comes the land-tax; but this also is equally borne by the property in towns as by the estates of the landed aristocracy. It is, however, perhaps a burthen more especially bearing on simple land than on mixed property; yet it is the burthen least obtrusively thrust forward as a pretext for the Corn-laws. In one form or another, it has existed since the Normans introduced the feudal government into this country. Under the Commonwealth it became a permanent money tax on the land. Four years after the Revolution a new survey and valuation were made; which survey and valuation, notwithstanding the vast increase in the value of the land, have never been altered down to the present day. In the reign of Queen Anne, the tax on the survey and valuation of King William was rated at four shillings in the pound of the rent, and this has never been exceeded, in a period of more than 120 years; so that, even where the tax has not been redeemed, the original four shillings scarcely amounts to a sixpence.

It must be pretty obvious to the most ordinary comprehension, from all that has been now stated, that the proprietors of



the land bear no peculiar burthens whatever, unless such as they suffer in certain cases from an indiscreet and injudicious administration of laws framed by themselves. But though the proprietors of the land bear no peculiar burthens, it is obvious that, besides the Corn-laws, they enjoy a good many peculiar exemptions, and in justice to the people, a few of them shall be here enumerated.

The right of primogeniture, the laws of entail, titles, and exclusive franchises, with the other laws or customs which bolster up and hedge in property in the land, were originally conferred in return for value received by the State, for military services, and for a variety of imposts in money and kind, all of which have now long ago ceased, and with them of course ought to have ceased the privileges which were the only rational ground for conferring them. But the privileges continue, and are the cause that vast masses of property are to the detriment of society at large thrown into the hands of a few. Although the rent of land be unquestionably that portion of the public property which of all others can with the smallest detriment or inconvenience be taken by the sovereign for the service of the State, the landed proprietors of England have so managed through their paramount influence in the legislature, as to contribute but the merest pittance of their rents. Even in the most civilized and best governed countries of the continent of Europe, as France, Belgium, and Italy, the rent of land contributes about one-fourth part of the public income, and generally one-fifth part of the actual rent is the rate of the land-tax. In England the land-tax, at its original amount of about two millions for Great Britain, and not reckoning what has been redeemed, amounts to about one twenty-fifth part of the public revenue, and instead of constituting a tax of twenty per cent on rent, it does not really constitute one fortieth part, or two and a half per cent. Instead of two millions, eight millions ought to be the very smallest contribution.

Then comes the house duty. The commissioners, the surveyors, the assessors, and the collectors, are either named by or through the landed aristocracy, and of course the grossest favouritism prevails. On a fair comparison of the rates of assessment of the house tax in town and country, it does not appear that the latter contributes even so much as one-fifth part of its just and equal share of the value of the property assessed. A nobleman's mansion worth half a million, will be seen in the public records, rated at a rent of 100*l.* a year, while a tavern in a country town will be rated as high as 500*l.* This is far from being all. Farm houses, as much the property of

the landowners as their own mansions or the hedges and ditches of their estates, are, by express statute, exempt from the house duty altogether. By the returns made to parliament, it appears that of 514,980 houses in England and Wales which ought to be assessed to the house-tax from their rental, no less than 136,194 being farm-houses, or above 26 per cent of the whole, go scot-free. Now, as the whole of the inhabited house duty is about 1,400,000*l.* per annum; if we suppose the farm houses, and it is a very fair supposition, to be of the average value of the assessed houses, here is at once a clear sum exceeding half a million a-year, pocketed by the unprotected aristocracy of the land. As to the window duty, the tax is so rated, that the mansion of a country-gentleman shall pay no higher a duty than five per cent on the value of his windows, while a shop-keeper in town shall pay twenty per cent, or four times the other's amount. The windows of the hot-houses, green-houses, and hot-beds, which raise the luxuries of the landed proprietor, are altogether exempted from taxation. For a window to be taxed, it must be for use, and not for luxury.

Again, the land is free from the probate and legacy duty, which on personal property yields two millions per annum. If the real and personal property of the United Kingdom be of equal amount,—and the proprietors of the first insist that their share is much the largest,—it is clear that by this law of their own making, they are unjustly exempted from taxation to the extent of two millions a-year. If, as the landed aristocracy pretend, the real property be half as large again as the personal, then they are exempt to the extent of three millions. If a shopkeeper die, leaving his family 10,000*l.*, they pay probate duty, under a will, amounting to 200*l.*; and if they have had the misfortune of his being suddenly taken off without a will, they pay 300*l.* If a proprietor of land die with a real property worth even as much as a million, his heirs do not pay a farthing. If a merchant worth 100,000*l.* die, leaving his property in legacies to distant relations, these distant relations will have to pay 1,500*l.* of probate duty, and 10,000*l.* of legacy duty; in all 11,500*l.* The descendants of the owner of a landed property of the same value, and dying under the same circumstances, even if they should be seventh cousins, will not have to pay one farthing.

Finally, the game laws, those nuisances which as Blackstone says of the ancient forest laws are so many snares spread over the kingdom to entrap the unwary, exist only for the advantage of the land-owners; so that even their most prized amusement is provided at the expense of the rest of

the people. Such are the privileges and exemptions of the class that claims compensation for the abolition of the monopoly of supplying the nation with bread at their own price. In fact, neither the ancient nor the modern world affords any example of a landed proprietary possessed of so many privileges, immunities, and distinctions, as the landed proprietary of England. They have had the power of making laws for the whole people, especially since the Revolution. They have spared no pains to make these laws favourable to themselves; and if the results have shown that they have often miscalculated and blundered, it has certainly not been from any want of good intention towards their own interests, which have been keenly and systematically pursued by them for near a century and a half. As far as concerns the few burthens they do bear, everybody who is not blindfolded by prejudice must see at once, that these have either been inherited with the land, or calculated upon in its purchase. The present inheritors might just as reasonably claim to be relieved from the mortgages and settlements with which their fathers burthened their estates, as demand compensation for the public burthens which were liens upon them when they received them. When a man purchases an estate, of course he calculates every burthen to which it is liable, before he invests his property in it. He inquires whether the land be tithe-free or bear tithes,—whether the land-tax be redeemed, or otherwise. He inquires how much the poor's rates amount to per pound, and how much the parochial charges. If he happens to miscalculate, he only does that to which every speculator is liable. He has no more right to claim compensation from the public, than he has to claim compensation for the natural sterility of the land which he has purchased. The fact is that the proprietors of the land, whether inheritors or purchasers, when they ask for the continuance of the Corn-laws, the most unjust, unequal, and ruinous of all taxes, do in fact, in so far as the land is concerned, make the modest claim of exemption from taxation altogether; they claim in fact indirectly, what the noblesse of France claimed directly, to be tax-free themselves, and to throw the whole burthen of taxation upon the people. But then it has been said, that the Corn-laws have existed for eighteen years, and that those who inherited or purchased within that time are entitled to compensation, that is, to a continuance of the Corn-laws. This is neither more nor less than a demand for claiming the continuance in perpetuity of a nuisance. A bad legislature, in which the land-owners were predominant, made a bad law, which taxed the community for

the advantage of the legislators ; and this bad law the legislature stuffed down the throats of the people with bayonets hired at their expense. Justice and decency forbid that the people should continue to suffer from a law of this character, and thus enacted.

The landed interest, it is asserted, is in a state of distress ; and for this we have the authority of a Report of the House of Commons, and of a Royal Speech. To remedy this distress, it is proposed to continue the Corn-laws, which have brought it into distress,—surely a preposterous and contradictory course of legislation. But for monopolists to be in distress, is a case neither new nor uncommon. On the contrary, it is a never-failing result, and there is hardly an example on record in which the enjoyment of monopolies has not engendered habits of carelessness, prodigality, and extravagance, necessarily leading to pecuniary difficulty and embarrassment. Every great monopoly which has existed in Europe during the last two hundred years, and there have been many, has perished from its own extravagance and mismanagement ; and the few of which the existence has been prolonged for any time, lived only by being bolstered up by the State. Our own East India Company would have been bankrupt half a century ago, had not the State conferred upon it the privilege of taxing the nation for a necessary of life. The great banking monopoly has only been saved by similar means. The West India monopolists have been in a state of constant distress for the last forty years, although bolstered by many annual millions of the public money. The landed interest of America enjoys no monopoly, and of the distress of the landed interest of that country no one has ever heard.

The complaint of the landlords is that their tenants do not receive war prices, and that they do not receive war rents. But this is not the question ; neither party has a right to advantages enjoyed at the expense of the rest of the people. But have rents in reality declined, in a proportion greater than the decline in the value of other property ? The reverse may readily be shown. The average price of wheat, in England and Wales, for the twelve years from 1804 to 1815, both inclusive, was per imperial quarter 90s. 2d.; and the average price for the twelve years ending with 1833, was 60s. 4½d. This is a decline of 29s. 9½d. per quarter, equal to 33 per cent. Now the first twelve years were years of war, and the bank restriction having existed throughout, the currency was depreciated on an average of the whole period by 10½ per cent. This difference therefore must be deducted from the price of

the first period; which will show the actual decline in the price of wheat to be in round numbers only 28 per cent. This is the nearest approach which can be made to the actual decline in rents, and it is very far indeed from corresponding with the decline which has taken place in all other commodities, and in all other property where no monopoly has existed to prevent a natural fall. Freights have fallen in almost all cases to one-third of what they were during the war. With respect to commodities in which there is no monopoly, the fall has been immense. Cotton-wool has fallen to one-fourth of the price which it bore during the war. Rice has fallen 40 per cent. Black pepper has declined by 64 per cent, and sugar in bond has declined 46 per cent. The owners of land, or those who receive rent, therefore, are far better off than their neighbours, and far better off than they have any just right to be. They are only the loudest clamourers, and unluckily the clamourers who have the best means of making their clamour heard.

One argument urged in favour of the landed monopoly, is that the manufacturing and commercial interests are also protected. The protection, in both cases, is a nuisance. But, in the case of the manufacturers, the nuisance is comparatively a small one: in the case of the landed proprietors it is great, overwhelming, intolerable. The manufacturing and commercial restrictions ought not to exist; and the experience which the nation has had of the abolition of a few and the mitigation of others, shows that they were not only an evil to society at large, but even injurious to the manufacturers and merchants themselves. The vast advances made in the silk and glove trade within the short period of nine years, are excellent illustrations. The manufactures which are natural to the soil, the climate, and the circumstances of society of this country, require no protecting. Arguments drawn from such a source, therefore, in favour of the corn-monopoly are utterly valueless.

Turning now to the national advantages which might be expected to accrue from the abolition of the Corn-laws and the taxes on food generally, these may be very easily described. The effect would be the same as extending the boundaries of the country. It would give the nation elbow-room. It would have the same effect upon the society as emigration upon a vast scale, without any of the disadvantages of emigration. It would give the country at large the advantages, and none of the disadvantages, of a colony planted in a new and fertile territory.

It has been well observed, that the progressive state is in reality the cheerful and the hearty state to all the different orders of the society; that the stationary is dull; and the declining

melancholy. The people of England have passed the stationary state, and got far on their way in the melancholy one, by virtue of the Corn-laws; and their removal will restore the progressive state, the hearty and cheerful one to every class of the people. The population is increasing in numbers, while the Corn-laws by producing an artificial scarcity not only degrade the labouring classes, but subject them to the perpetual risk of famine. The hunters of Siberia and America are often in misery and starvation from want of game, although there may be fifty square miles of territory to maintain each family. Ignorance is the sole source of the misery in this case; for a slender knowledge of agriculture and the common arts of life, with a free exchange of products with foreign nations, would put an end to the misery, and enable the fifty square miles to maintain one thousand families instead of one family. By pernicious restrictions of our own enacting, we place ourselves in a parallel condition with these Siberian and American savages. What want of skill and civilization does for them, vicious legislation does for us.

By the abolition of the Corn-laws, the quartern loaf which now costs 8*d.*, we might have like our continental neighbours, for 4*d.* or 4½*d.* But wages, it is alleged, would fall in proportion to the fall in the price of corn. If there was no more corn than before, neither price nor wages would be altered. If there is more corn, the labourer must have a greater share for his wages; which is wages *not* falling so much as corn.

What, it may be said, in the event of the abolition of the Corn-laws, will become of the rural population now engaged in the culture of sterile lands, and who must of necessity be thrown out of employment, when cheap corn and other food is imported? The general reply to this is, that the capital of the country is not diminished but increased, by being more productively employed. It is true, that to a certain extent it will take another direction, and therefore that the population now unproductively employed in the culture of bad lands will suffer, as in all great changes, some temporary inconvenience. The handloom weavers whose labour has been displaced by power-looms, suffer at the present moment, perhaps to the amount of fifty thousand, a greater degree of distress, without the protection and even without the sympathy of the legislature, than can possibly be experienced by the rural labourers displaced by the abolition of the Corn-laws; for the first, on miserable wages, are paying a monopoly price for corn and other food, while the latter will have cheap bread and all manufactured and other necessaries at a cheap price. They will be in a far better con-

dition than the Scotch highlanders, who were driven by thousands from the mountains to make way for the profitable husbandry of sheep and black cattle ; and they would be better off than the Irish poor, who are driven in shoals from their native country yearly by poverty and misgovernment. The rural population displaced by the throwing of sterile lands out of culture, will find employment, as the Irish and Scotch highlanders now do, in the numberless departments of day-labour connected with manufactures, commerce; and navigation; in canal and rail-road making, as porters, carriers, lumpers, &c. If the additional capital exist, the capital will naturally go to seek for labour; it is therefore unnecessary to particularize the channels in which that labour will be employed. And be it observed, that nobody has demanded that the alteration should be made all at once; which is an advantage the sufferers from other necessary changes have by no means always had the benefit of.

It by no means follows, however, that the hands thrown out of employment by the abolition of the Corn-laws will be considerable. The most fertile lands in this country *will* continue always to yield corn at a cheaper rate than it can be imported from abroad, and the improved system of husbandry pursued on those lands will give rise to the necessity of employing more hands. Even of inferior lands, it is only the poorest that will be converted into pasture; the rest will be used in growing green crops and artificial grasses for cattle, as well as in the growth of small fruits and vegetables, all of which are articles which in their nature cannot be imported. By the more extensive use of manures, and by the more frequent practice of irrigation which has hitherto been little employed in this country, the productiveness of lands conveniently situated for such purposes may be greatly augmented, giving rise to additional demand for labour.

The rearing and fattening of cattle will, on the abolition of the Corn-laws, occupy a great share of the attention of the agriculturist. This branch of rural industry has in Holland, which still equals our own country in relative population, and was a densely peopled country when Britain raised raw produce enough for its own inhabitants, long supplanted in a great measure the growth of corn. The soil of Holland is inferior to our own, and its climate in no respect better, and yet rearing and fattening of cattle is there carried to a very great extent. Even into this country the value of the butter and cheese imported from Holland, including the duties, is equal to the large sum of 800,000*l.* sterling; and if the grass, clover, and other seeds, be

included, that value will rise to a million,—a sufficient evidence of what may be effected here.

The beneficial effects of the abolition of the Corn-laws on manufactures are too obvious to be insisted upon. The production of every object into which the labour of men or cattle enters will be cheapened, and the raw material of manufactures, whether of domestic or foreign production, will be obtained at a cheaper rate. There will be increased employment for capital, and hence an additional demand for labour with a higher reward for it. The operatives, while wages increase with the growing demand, will pay less for their food, clothing, and dwellings.

Cheaper manufactures and a greater quantity of them, will be produced to exchange for the corn and other raw produce of foreign nations, and hence a real increase in our foreign commerce. Our present fluctuating importation of grain of all descriptions for home consumption does not, on the average of the eighteen years ending with 1832, exceed 1,288,341 quarters per annum, which is perhaps equal to about one-fortieth part of our consumption, and which in fact would not afford subsistence for three of our principal manufacturing and trading towns, nor food enough for half the population of the metropolis. The value, at the present prices, does not exceed 1,800,000*l.* sterling. This is the whole amount for which we can effect the exchange of our manufactures by that portion of the imports of the kingdom, which, in our circumstances, ought to contribute by far the largest branch of our foreign trade. A lower price would of course produce increased consumption, and does, in every other necessary; but without supposing such additional consumption, the corn consumed will be taken at its present estimated amount of 52 millions of quarters. Supposing one-fourth part of this to be foreign corn, it would, at the average of the Antwerp, Amsterdam, and Hamburgh prices, amount to near eleven millions sterling, which, in round numbers, would create a demand for our manufactures beyond the present demand, to the extent of nine millions a year. Supposing, in the foreign corn trade, four voyages were performed every year, the importation of nine millions worth of corn would create a yearly demand for upwards of 500,000 tons of shipping, giving employment to from twenty to twenty-five thousand mariners.

As to the farmers or the capitalists who hire the land, it is sufficient to reflect, that it is no more their interest than that of manufacturing capitalists, or indeed any other capitalists, to invest a larger capital where a smaller would give the same return. It is still less their interest to use an imperfect



and an unproductive machinery, instead of good machinery ; - to use sterile and unproductive soils in raising crops for which nature never meant them. It is their interest, as capitalists, to conduct their business with skill and economy, and to secure prices as steady and as little subject to fluctuations as the nature of their peculiar employment will admit. To employ seed-corn, for example, dearer by a million than the seed-corn could be had for, is no more for their advantage than it would be for the advantage of the cotton-manufacturers of the kingdom that the Americans should charge them a million more than they now pay for the raw material. A nobleman not many years back, forced with a vast outlay of capital, a common that produced only a few furze bushes, to yield a scanty crop of corn. The nobleman in question, no doubt, imagined himself a patriot ; but if any considerable portion of the farmers of England were to play the patriot after this fashion, they would soon ruin themselves, and destroy no small part of the agricultural capital of the kingdom. It is by no means, therefore, true, that the man who makes two blades of grass grow where one grew before, is a public benefactor ; if he does it by the prevention of a double gain from another quarter. On the contrary, he is but a silly projector. Laws surely cannot be for the advantage of the farmers, which occasion the price of the staple article of their production to be worth one year 80s. per quarter, another 70s., and a third 50s. No employment of capital can be benefited by such violent fluctuations ; by gluts in one year, by scarcities in another, and probably by famine in a third.

Some inconvenience and some loss must of course be sustained by the farmers, in the progress of the change from one system of agriculture to another. Fewer ploughs, harrows, carts, and draft horses will be required, and their place must be supplied by more sheep and black cattle. A certain alteration in the value of property must be the result of this revolution. But in every branch of manufacturing industry similar changes are constantly going forward. So great have been the improvements in the cotton, woollen, linen, and iron manufactures, that the machinery which was in use eighteen years ago has become useless, obsolete, and almost valueless. In ship-building the same alteration has taken place, chiefly from the fall in the price of the raw materials, wood, iron, and hemp. In the progress of improvement such changes are inevitable, and there is no reason on earth why the farmers, at the expense of the other classes of society, should be secured against them. On their account, however, and still more on account of the labouring population that will be displaced, it will be just and expedient

that the abolition of the Corn-laws, although speedy, should be gradual.

As to the landlords who pertinaciously and ignorantly insist upon the continuance of a bad law, it may safely be asserted that they will, in the long run, be as great gainers by freedom as any other class of the community. Even they themselves will hardly deny, after near twenty years experience of them, that they would, at the present moment, have been better off had no Corn-laws ever existed. Their business is to sell or let their property to the best advantage. Their true interest is to keep this property from deterioration by a vicious husbandry. It is their interest to make its use to the farmer or capitalist who hires it, as advantageous as possible, and not to force the latter to injure the land by a vicious system of husbandry, and to waste his capital by employing dear labour, dear machinery, and dear materials in its culture. It is the interest of the landlords, instead of impoverishing the manufacturers and other consumers as at present, to extend the number and improve the condition, not only of the manufacturers, but of every class of consumers.

One advantage to the proprietors of land, which will follow the improving and advancing state of things which cheap bread and better wages will inevitably bring about, deserves to be more particularly adverted to, viz. relief from the load of the poor-laws. The number of paupers requiring relief will in such a state as is here supposed, decrease; while from the diminished price of food, such as exist will be more cheaply maintained.

To conclude,—this mighty subject must be taken by the people into their own hands. It is they who must rescue the proprietors themselves from the evil effects of their ignorant and barbarous legislation;—who must rescue the farmers from the delusions practised upon them by the landlords;—and above all, who must rescue themselves from the poverty and degradation to which they are subjected by the taxes on food. They must agitate peacefully, but at the same time with that vigour and pertinacity which indicate that opposition is only exertion thrown away.

ART. VIII.—*Reports of the Commissioners of Inquiry into the Collection and Management of the Revenue arising in Ireland and Great Britain. Nos. 18—22.*

‘**R**EFORMATION,’ said Burke, ‘is one of those pieces which must be put at some distance in order to please.’

Its greatest favourers love it better in the abstract than in the substance.' The truth of this observation has been exemplified in many instances by the Reform Ministers. They lent their aid to the nation in its struggles to reform the representative system; but have shown not unfrequently a strong reluctance to make the Reformed Parliament an instrument of good government. This indisposition was especially manifest last Session, in the discussions respecting the mismanagement of the Post-Office Department. The Ministers threw cold water on the efforts of Mr. Wallace, the Member for Greenock, to render the Post-Office what it was intended to be, the means of frequent, punctual, and quick communication; which, as the Revenue Commissioners justly remark, may be 'classed among the elements of profitable commerce. It is essential to the purposes of Government, and subservient to all the ends of national policy.'

The amount of revenue arising from the Post-Office is only a secondary consideration; still, it is one of magnitude. The gross receipts may now be estimated at two millions and a half;—in 1827, they amounted to 2,392,272*l*. From this must be deducted the cost of collection, which is not less than 670,000*l*. a year. These are vast sums; in the present state of the national finances, it is of extreme importance that the mode of their receipt and expenditure should be closely scrutinized.

Of this, the Tory predecessors of the Reform Ministry were duly sensible; and accordingly, one of the principal objects of Lord Wallace's Revenue Commission was to make a searching inquiry into the Post-Office Department; and having discovered therein abuses without number, to suggest an improved method of regulating it. They devoted the five volumes of their Reports, cited at the head of this article, to the exposure and reform of those abuses. For all the practical advantage the nation has hitherto derived from their researches and suggestions in this department, the Commissioners might as well have suppressed them. They were in office nine years (two of their number, Mr. Dickenson and Mr. Berens, indeed are still employed); and cost the country at least 100,000*l*.

The numerous changes which they recommended in the other departments of the Public Service, were nearly all adopted by Lord Liverpool and the Duke of Wellington; and great advantage has been the result. But the Post-Office impurities remain uncleansed. For reasons not avowed, but easily to be guessed at, the whole bevy of officials, from the Postmaster-General down to the Twopenny-Post letter-carrier, have set their faces against any intermeddling with their sacred and, till

very lately, secret duties and emoluments. In this contumacy, they have been upheld by the Whig Ministers. In the debate of last Session on Mr. Wallace's Motion, Mr. Stanley went so far as to assert that the grievances referred to in the Reports of the Revenue Commissioners had been redressed; but the gross inaccuracy of this assertion, is apparent to any one who has read the documents in question, and who is also aware that his Grace the Duke of Richmond is a Cabinet Minister and Postmaster General.

As this subject will shortly be again brought before Parliament, and as it is evident that the Post-Office will never be reformed from within, and the Ministers are determined to resist all attempts to reform it from without; it is of very considerable importance, that public attention should be directed to the abuses which in great measure paralyze its efficiency. In this way only can any good be done. Our rulers must be badgered into doing their duty. No prophet ever spake more truly than he that said, 'It is only by making the ruling few uneasy—;' it has become the alphabet, the horn-book of free men. Certain it is, that if men in general were aware of the great damage and inconvenience they sustain every day of their lives by the mismanagement of the Post-Office, the Government would be compelled in this as in other instances, to adopt and carry into effect the recommendations of the Revenue Commissioners. The object of what follows, is to make the public aware, that they are deeply interested in the result of the exertions which will be made to remove the abuses of this department.

The power of the Postmaster-General is enormous. He regulates the conveyance of all the correspondence of the country, domestic, colonial, and foreign. He appoints and displaces such officers and servants, and takes such security from them, as he deems necessary. He settles the amount of salaries and contingent allowances; subject only to a nominal supervision by the Lords of the Treasury. In certain cases, he settles the rates of postage according to his good will and pleasure. It is his duty to see that the accounts of the accruing revenue are duly kept, and the money paid into the Exchequer. He has, in fact, an almost despotic control over his department.

It is plain, that great experience and knowledge of business, unwearied attention and activity, unusual precision and scrupulous disinterestedness, are among the first requisites to be looked for in an efficient Postmaster-General. But how is it possible that they can be possessed by men of high rank and fortune,—whose habits and education have especially unfitted them for the drudgery of business? Yet from men of this class

have Postmasters-General been almost invariably selected. Of course, they have not even attempted to grapple with the performance of their duties; and the Legislature has kindly relieved them from all responsibility, not directly personal, or for the management of their department. The Postmaster-General is, by the 9th Anne, chap. 10, exempt from all responsibility for the revenue, or for the officers appointed by him, 'save only for his voluntary defaults or misfeasances,' and he is not required to give any security.

Perhaps there is no office in the Government which requires more peremptorily the personal superintendence of its chief; but though Lords Grey and Althorp may be found in Downing-Street, and Sir James Graham at the Admiralty, the Postmaster-General does not reside at the Post-Office. His general absence from his place of business, and 'the unavoidable delay which arises from the ordinary practice of communicating with him elsewhere,' are animadverted upon by the Revenue Commissioners in their 18th Report. The Duke of Richmond was not then in office, and their remarks could not, therefore, apply particularly to him; but it is to be presumed that the onerous duties of a Cabinet Minister, which his Grace is charged with in addition to the management of the Post-Office, will scarcely permit him to be more assiduous in his attendance than Lord Chichester or the Duke of Manchester. This, indeed, is a serious charge against the present Ministers. They have augmented the difficulties in the way of controlling the Post-Office people, by placing not merely a man of high rank, but a Cabinet Minister at its head, in direct contravention of the well-considered suggestions of the Commissioners.

The consequence of the non-residence and official ignorance of the Postmaster-General is the exercise by his Secretary, Sir Francis Freeling, of a much larger portion of authority than properly belongs to his place. In point of fact, his official superior does little more than give his sanction to the proceedings of the Secretary. This sanction is given before or after the Secretary's orders are executed, just as it may happen. In all cases of emergency, the person on the spot is, of course, the one who directs and is obeyed. Thus the duties of the office of Postmaster-General are actually performed by deputy; and interfere very little indeed with his avocations as a Member of the Cabinet.

The Secretary then, is the most important officer in the Post-Office department. He regulates and controls the whole. Yet even *he* has not resided at the Office since 1816; and his authority is therefore necessarily delegated to the Assistant-

Secretary, Mr. G. H. Freeling. Here we have a Postmaster-General receiving 2,500*l.* per annum, and a Secretary receiving 4,165*l.* per annum, both of them non-resident, and delegating their vast and almost irresponsible authority, to an Assistant-Secretary receiving 800*l.* per annum, and in fact doing the work of the establishment. Yet this is the office the doors of which are closed by Ministers against all inquiry with a view to Reform!

It is worth notice, not so much on account of the so many pounds a year, but because it proves the great influence of a subaltern,—that a Secretary gets 1,565*l.* a year more than his master. The following, as is learned from the Eighteenth Report of the Commissioners, is the manner in which Sir Francis Freeling came to receive so rich a compensation for his services. He was appointed to the office in 1797, at 500*l.* per annum, which appears to be a not very niggardly salary in exchange for what ought properly to be the duties of the Secretary of a Postmaster-General. In addition to this, however, he had the privilege of franking periodical publications and newspapers to America, the West Indies, &c., guaranteed to be worth 700*l.* per annum to him; and in 1797, Sir Francis himself stated, in his evidence before the Finance Committee, that it was meant that ‘these two sums (700*l.* and 500*l.*) should in future become the total amount of the annual payment of the Secretary of the Post-Office.’ The profits however, arising from this source of franking to the Colonies, invariably very much exceeded the 700*l.* a year. But was the surplus paid into the Exchequer? No such thing. Sir Francis pocketed every penny; and by an Act passed in 6th George IV, a compensation for the loss of this privilege, of 2,965*l.* a year was voted to him, instead of the 700*l.* to which alone he was equitably entitled. The next article of the Secretary’s emolument is an allowance of 700*l.* a year, which was given to him thirty years ago, ‘as a mark of distinction, and a reward for services which were at the time fully recognized and understood.’ These are the words of Sir Francis Freeling himself. What these especial services were, the Commissioners did not discover. In 1815, the Secretary was allowed 400*l.* a year as a compensation for depriving him of a residence in the Post-Office, the rooms which he occupied being required for official purposes. How long this allowance was continued does not exactly appear,—certainly for fourteen years; but it may be observed that in the last returns moved for by Mr. Wallace, the sum of 400*l.* is not included in the 4,165*l.* to which his emoluments amount. It has, therefore, probably ceased; or perhaps rooms in the New Post-Office are occupied by the Secretary, and therefore the money is no longer paid.

The talents and services of a person so extravagantly paid ought to be of surpassing value. But it will be difficult to point out in what Sir Francis Freeling's pre-eminent merit consists. The Mail-Coach system, which in many respects is really admirable, was established by Mr. Palmer in 1784, some years before Sir Francis became connected with the Office. Since that time the reluctance to make improvements in the Post-Office, to adopt reforms even when backed by the authority of Parliamentary Committees, has been notorious. But then it is said, that letters addressed to the Secretary of the Post-Office are always answered with regularity and courtesy; and this performance of a mere piece of routine duty is considered by many people as conclusive evidence of the excellent administration of the department. But it should be remembered that Sir Francis can have as many clerks well paid by the public as he chuses to ask for; and therefore he must be a perfect sloven to let his correspondence fall into arrear.

But though it may be difficult to find out the advantages which have resulted to the public from the system of over-paying the non-resident irresponsible functionaries of the Post-Office, it will take little time to demonstrate, that the system has worked just as it might have been expected to work,—that is, wretchedly.

In proof of this, one or two facts may be mentioned, which almost do away with the necessity of stating more. 'In point of fact, the Post-Office revenue has been about stationary since 1814; though from the increase of population and commerce in the intervening period, it is pretty obvious, that, had the rates of postage not been so high as to force recourse to other channels, the revenue must have been decidedly greater now than at the end of the war\*.' This statement has reference to the gross receipts; and certainly if a reduction of the rates of postage would have increased the receipts, the directors of the Post-Office ought to have recommended such a reduction, which they have not done. But it appears that the net receipts have materially diminished owing to an enormous increase in the cost of collection. Thus it is found that in 1826 the money actually paid into the Exchequer was 1,645,254*l.*; in 1827, 1,702,800*l.*; but in the revenue accounts last published up to the 5th of January 1834, the Post-Office is found credited with an amount of only 1,386,000*l.*; thus exhibiting a decline since 1827 of 316,800*l.*, notwithstanding the population and the foreign and domestic commerce of the country have been so

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\* McCulloch's Commercial Dictionary, Article Post-office.

greatly augmented during the same period. This must be admitted as presumptive of gross mismanagement. The system plainly has not worked well.

Attention will now be requested to a few details given in evidence before the Revenue Commissioners, which are sufficient to account for even a greater defalcation than that above stated.

It appears from a statement in page 22 of the eighteenth Report, that the Deputy-Postmasters remit the money due from them to the Secretary ; that these remittances amount annually to at least 1,100,000*l.* ; that the letters containing them are opened by clerks, who give no extraordinary security ; and that the only way in which the Secretary or Assistant-Secretary could be made aware that any Postmaster was in arrear, would be from the Accountant-General's quarterly Report on making up the Deputy-Postmasters accounts. The defaulter would then receive three dunning letters from the Secretary, and if still in arrear, would be proceeded against by the Solicitor, if the Secretary thought fit. The head of the department, meanwhile, might be kept in ignorance of all these facts, until it was found that an irrecoverable loss had been sustained. Now what would be thought of such a mode of proceeding, of delegating the conduct of matters of such importance to subalterns, if it were adopted by the Bank of England, or Baring, Brothers, and Co.? Why that in the one instance a suspension of cash payments, and the striking of a docket in the other, must speedily be looked for. But it is only public business which is carried on for any length of time in such a style as this.

In pages 66 and 67 of the eighteenth Report, is found an account of the mode in which the charges are made out against the Deputy Postmasters. It is unnecessary to give the details here ; but so imperfectly is this duty performed, that the Commissioners found upon examination that 'for twenty-five successive days' the 'office account,' as it is called, 'differed from the charges admitted by the Deputy Postmasters, and this with reference to towns affording the most considerable revenue, as Hull, Brighton, Exeter, Plymouth, Birmingham, and Liverpool.' And it moreover was ascertained by the Commissioners, as far as their scrutiny extended, that the amount admitted by the Deputy Postmasters generally exceeded those charged against them at the head office. The duty of telling up the postage and entering it on slips of paper, which form the basis of the charges against the Deputy Postmasters, is entrusted to the youngest and most inexperienced clerks in the office, though it is evidently a duty of a highly confidential and important nature ; for these calculations are not checked.



It is the duty of a Deputy Postmaster to charge himself by an entry on the bill which is required to accompany each bag, with the amount of paid postage. It appears from page 54 of the Report, that the duty of ascertaining how far this entry is correct, whether the postmaster has charged himself with too much or too little, is entrusted to the junior clerks; and that it is the practice to confide the same bag always to the same person. Should there be any error, accidental or fraudulent, there are no means of detecting it.

The Superintendent of Mail Coaches has the control of an expenditure of about 47,000*l.* a-year. This consists principally of payments for 'mileage' to mail-coach contractors. There is no check whatever upon this officer. The payment is always made upon his certificate that the mileage has been performed. The mode in which the superintendent is paid is extremely characteristic of Post-Office management. His salary is 750*l.* a year, together with an allowance of 26*s.* a day while travelling, and an allowance for travelling expenses; he travels too in post-chaise, though the mail would be the most economical, and the most suitable conveyance for one whose duty it is to look after mail contractors. This mode of travelling was objected to in 1797 by the Finance Committee, and again in 1829 by the Revenue Commissioners; but upon referring to the returns just presented to the House of Commons, it appears that Mr. Surveyor and Superintendent Charles Johnson still charges the Post-Office with chaise-hire.

In addition to this, Mr. Johnson pockets 127*l.* 10*s.* per annum from profits in dealing in packing and shipping lists. He absents himself from London just when he thinks proper, and never presents any journal or account of his proceedings to the Secretary.

The machinery of the Twopenny-post Department seems to be in very bad order. The Comptroller is a sort of Postmaster-General in his way. He would appear to have a great deal to do; but he does very little. The senior clerks conduct the correspondence of the office, sign the accounts, inspect the country sorting and receiving-houses (whenever they undergo any inspection, which rarely happens) and frank letters. In short, as stated in page 11 of the twenty-first Report, the superintendence of the Comptroller's office seems to be altogether entrusted to the chief clerk. The Comptroller receives a salary of 500*l.* per annum, and this is all that is found set down opposite his name in the last returns; but the Commissioners Report announces that he also receives 333*l.* 6*s.* 8*d.* per annum as a recompense for his services in another office,

when those services were no longer required in consequence of the office being 'put on a new principle.' A satisfactory explanation truly, and very much resembling Sir Francis Freeling's account of the mode in which he got an additional 700*l.* per annum; namely for 'services understood and recognized at the time.'

Surely, now that the considerations of military, naval, and civil sinecures and pensions are about to undergo a scrutiny, the House of Commons will not neglect to inquire into the nature of those services, which though obscure and scarcely remembered by the persons who claim to have performed them, have cost the country so many thousand pounds.

It was not surprising to find, after reading in the Report the sort of attention which the principal of the Twopenny-post department paid to his duties, that many of the subalterns neglected theirs. The collectors are always in arrear; their accounts never give a true statement of the monies due from them. It would be tedious to enter into an explanation of the mode in which these accounts are kept; and it will be sufficient to quote from the 28th page of the twenty-first Report, the following observations of the Commissioners. 'In this mode of stating the account, neither the amount of the actual receipts on account of the postage charged as [receipts] in the account, nor the gross amount of the arrears really unaccounted for, is brought under review; and with respect to the sum deducted or added, as increase or decrease of arrears, your Lordships will find, in referring to the evidence of Mr. Baillie [the accountant] that it undergoes no examination in his office, and that were it erroneously reported by the sub-collector, such error would not be detected there.' The letter-carriers may pay for the last week out of the revenue of this week, and thus be constantly creating a new debt.

It is stated in page 12 of the twenty-first Report, that notwithstanding the vast increase of buildings, no general revision of the walks of the Twopenny Postmen has been made since 1794.

The consequences of this slovenly mode of doing business at the Inland Head Office, are felt all over the country. The irregularity of the delivery of letters and newspapers; the shameful manner in which the latter are read and detained for the profit and convenience of the country postmasters; the ransacking of private parcels; the violation of seals, or reading the contents of letters by means of strong gas lights; the appointment of improper persons to the office of deputy postmaster,—persons who being tradesmen themselves, often scrutinize the corres-

pondence of rival townsmen in the same business; and the losses of money and parcels, and sometimes of the letter-bags from the mails;—these are a few among the numerous annoyances which the people of this country endure in consequence of the inefficiency of the system upon which the great establishment in St. Martin's-le-Grand is carried on.

In the year 1788, the Commissioners of Fees and Gratuities thought the entire Post-Office Packet expenditure 'so enormous as almost to surpass credibility.' It then amounted to about 61,000*l.* a year. The Finance Committee of 1797, found that in the preceding year the Packet Service had cost 78,439*l.* In 1810 the expense had risen to 105,000*l.*, and in 1814 to 160,603*l.*; for the four years preceding 1821, it did not cost more than 89,000*l.* per annum. Steam-boats were then introduced; and for the eight years ending with 1829, the annual packet expenditure has varied from 93,725*l.*, to 159,250*l.* In 1788 the Commissioners of Fees and Gratuities found that most of the packets were the property of the Crown; and they recommended that they should be sold, and hired vessels employed under contracts entered into by public competition. In 1798, the Finance Committee, finding that the recommendations of the former Commission had been disregarded, again pressed their adoption. In the end, the service was conducted under a species of agreement with owners of vessels, who derived their remuneration principally from the profits of carrying passengers. This was an economical and prudent arrangement; for it appears that as regards the intercourse with Ireland, the expense of the ten years preceding 1821 averages only 8,700*l.* per annum. But in 1821, the Post Office people in their wisdom, thought proper to recur to the practice denounced in 1788 and 1797, and became builders and proprietors of steam boats. In the nine years ending in 1830, they contrived to spend more than 609,000*l.*, or 67,000*l.* per annum; so that the carriage of the mails from England and Scotland to Ireland, now costs more than the whole packet establishment, 'enormous' as the expense of that establishment was held to be in 1788. Moreover, at the various packet stations at Holyhead and in Ireland, upwards of 800,000*l.* of public money has been expended. The Commissioners calculate that the total loss to the public in the nine years ending with 1830, is not less than 300,000*l.*

The question arises, how has this vast sum been sunk? It admits of an easy answer. The commonest rules of prudence from the very outset were utterly disregarded. The steam-vessels purchased were dear and badly built; there appears to

have been even gross jobbing and favouritism in the selection of the parties who contracted to furnish them, the mode of contracting by open competition never having been resorted to. Then, the Postmaster-General became his own competitor, not satisfied with the opposition of the Dublin and Liverpool Steam Packet Company; and carried passengers both from Holyhead and Liverpool. The supreme control seems to have been vested in the Assistant-Secretary, whose total experience in naval affairs was gained on a trip to the West Indies at the public expense. Every page of the twenty-second Report is full of details of mismanagement almost without a parallel; of course, heavy losses have been the result. It appears also that from a paltry jealousy of any interference on the part of the Irish Post-Office, the arrangements for the delivery of letters in Dublin were extremely inconvenient; and very different from what Sir Edward Lees, the Secretary, recommended. All this expense was incurred in the face of the offers of the Liverpool Company to carry the mail at any hour, in any way the Postmaster General should dictate, for next to nothing.

In one of the concluding paragraphs of their twenty-second Report, the Commissioners state that 'from the unrestricted exercise of the discretion of his Majesty's Postmaster-General, in the management of the steam packet service, the Lords of the Treasury were led, in its commencement, to expect that great benefits would ensue, without any increased annual charge upon the public.' These expectations have been miserably disappointed. The want of concert between the Dublin and London Post-Offices, caused arrangements to be made extremely inconvenient to both. Thus it has been already seen, that the loss in money is very great. The Commissioners are therefore justified in stating, which they do broadly, that not 'even a limited positive advantage has been gained,' by the expenditure which has 'progressively entailed an increasing loss upon the public.' Yet, in spite of all this, the system is continued. It may be questioned whether the history of the country can furnish such another instance of shameless and reckless unprofitable expenditure of public money.

These facts are not new, but they seem to have been forgotten; at least by our rulers, and the majority of the House of Commons. Were it otherwise, it would be difficult to conceive how a motion for inquiry into abuses so glaring, and so prejudicial to the public weal, could be resisted. They prove beyond all controversy, that the internal concerns of the Post-Office, which many persons suppose to be admirably conducted, are in point of fact carried on in a most irregular, insecure, and extravagant manner.

The failure of the recent negotiations with the French Post-Office, must be fresh in every one's recollection. It was owing to the exclusive spirit of monopoly, which characterizes the proceedings of the British Post-Office in reference to communications with foreign countries, that English letters and newspapers are not as freely circulated in France as in Scotland or Ireland. The French authorities even went so far as to offer to convey our largest papers, such as the 'Times' or 'Spectator,' as an equivalent for our carriage of their 'Figaros,' 'Messagers,' and 'Galignanis.' There is no question but that our journals would have a very extensive continental circulation, could they be transmitted free of postage. It seems almost needless to dwell upon the very great commercial advantage that would accrue from a freer intercourse between the two countries. This consideration really invests the question of 'Reform or no Reform' in the Post-Office, with vast additional importance. The merchants and agriculturists of France have recently become enlightened on subjects of political economy. They desire a closer commercial connexion with this country. It is evident that the opponents of the repeal of the Corn Laws will not long be able to taunt the advocates for opening our ports to foreign products, with the assertion that however willingly we might import French wheat and wine, our neighbours are too knowing to take our manufactures in return. In proof of the growth of liberal opinions in France, reference may be made to the important meeting of the vine-growers of Bordeaux, an account of which translated from the 'Mémoires Bordelais,' appeared in the 'Spectator' newspaper about four weeks ago. Such proceedings as occurred at that meeting, it behoves Englishmen, especially the advocates of free trade, to watch carefully, and to be fully informed of. Yet perhaps the only copy of the Bordeaux newspaper in London was that which the editor of the 'Spectator' was furnished with; whereas had the traffic in newspapers been as free as it ought to be, that interesting document would have been in a hundred hands.

It has been stated in one of the daily papers, that the newspaper traffic of the Clerks of the Roads and the Clerks in the Foreign Post Office, is to be shortly put an end to. It is to be hoped that this news is not too good to be true. The monopoly which these gentlemen have hitherto enjoyed, is one of the abuses of the Post-Office, which cries most loudly for Reform. In 1788 and in 1797, the practice was reprobated by Parliamentary committees; and the members of Lord Wallace's commission strongly recommended the abolition of it. Up to this day however it exists. The Post-Office Clerks, most of

whom are in possession of adequate regular salaries, pocket profits to the amount of from 250*l.* to 1,200*l.* per annum, by means of extra charges on foreign newspapers, to which no limits are assigned except such as are imposed by their own private interests. The monopoly of foreign newspapers is absolute; and as the Clerks of the Roads employ the time, money, and conveyances of the public in carrying on their private business, of course the regular news-venders are deeply injured by such privileged competitors.

The absolute necessity of applying extraneous force, not merely to improve, but to re-organize the whole system of the Post-Office, is apparent to all well-informed persons on the subject. Instead of taking the lead in all reforms, instead of being active in promoting improvements for the convenience of the public, the Post-Office directors are the sturdy opponents of all improvement. The Post-Office is a grand obstacle to the speedy and secure transmission of intelligence,—to that saving of time and money, which in a commercial country like this is of the last importance to millions. In order to accelerate the mail to or from any place of importance, public meetings, memorials, representations from Members of Parliament, without end, are required. At last the stupid, interested opposition, of the Post-Office is perhaps overcome; and the change is made, and an accommodation to thousands is reluctantly granted by those who are paid to suggest, and should be eager to afford it. Is it fitting that it should be endured any longer, that the nation should be taxed heavily to provide an obstruction to its domestic convenience and its intercourse with foreigners? Every contrivance in England is resorted to in order to send letters and parcels by other conveyances than the Post-Office; which ought to offer superior advantages for that purpose to all.

An opportunity will shortly be afforded the House, of discussing this subject. Mr. Wallace has given notice of a motion on the 29th of April, for a Committee of Inquiry into the state of the Post-Office, with a view to a reform of its abuses. The suggestions and recommendations of the Commissioners of Revenue, ought to form an important branch for the consideration of that Committee, should one be appointed. Many of those recommendations appear to merit every attention. More especially such as tend to place the concerns of the whole Post-Office department under the management of a Board of Commissioners, one of whom to be a Member of the House of Commons, liable to be questioned as to the proceedings of himself and his colleagues. Had there been any responsible,

person belonging to the Post-Office, as there is to every other department, to be found in his place in the House of Commons, it is not too much to assert that the abuses now so formidable would not have existed for a year together. No human being could have withstood the constant badgering which Sir Francis Freeling, had he been the responsible head of the Post-Office and a Member of the House of Commons, would have had to undergo night after night.

It is impossible to conceive on what ground Mr. Wallace's motion can be opposed by the professedly Reforming Members of the House. What earthly reason can there be for an independent representative of the people refusing to institute an inquiry into a great national establishment, proved to be overrun with abuses? Yet it is stated that a strong opposition will be raised to the proposed inquiry by Ministers. Mr. Wallace is fore-warned; he ought to be fore-armed. A call of the House is fixed for the 22nd of April; Mr. Wallace should continue the call, and let the people of the United Kingdom be informed who are the patrons of abuses among their representatives. On a question affecting men so closely in their individual as well as public capacities, he need not doubt that unusual pains will be taken to publish full and correct lists of the divisions.

ART IX.—1. *Annual Address by the President to the Fellows of the Royal Society.* 1834.

2. *The Quarterly Journal of Education.* No. XIII for Jan. 1834. Article on 'Geometry without Axioms.'

3. *Geometry without Axioms. Or the First Book of Euclid's Elements; With Alterations and Familiar Notes; and an Intercalary Book in which the Straight Line and Plane are derived from properties of the Sphere.* By a Member of the University of Cambridge.—Fifth Edition. London; Heward, 5, Wellington Street, Strand. 1834.

4. *The First Six and the Eleventh and Twelfth Books of Euclid's Elements; with Notes and Illustrations, and an Appendix in Five Books.* By James Thomson, LL. D. Professor of Mathematics in the University of Glasgow.—London; Longman. 1834.

5. *Elements of Geometry, with Notes.* By J. R. Young, Professor of Mathematics in Belfast College.—London; Souter. 1834.

**W**HEN a literary society is addressed by a personage of royal rank, upon a subject which there is no reason for assuming to have occupied a greater portion of his previous attention than is common to well-educated individuals in general, his speech is so evidently that of his ministers, as to

remove the possibility of invidious personal application. In fact it must be considered throughout Europe, as the efflorescence and elixir of the opinions of British men of science, poured out through an honoured vessel for the sake of directing greater attention to its contents.

A manifesto under these circumstances, should admit nothing that is done *incuriis*, or will not bear a rigid torture of examination. In this view, there is one passage in the composition cited, on which temptation is held out to ask a question.

After recounting many of the other works of Adrien Marie Legendre; the Address proceeds as follows.—

‘The work of M. Legendre on Geometry, has enjoyed a singular reputation, and has been most extensively used, particularly on the continent of Europe, in the business of education. It may be doubted, however, whether this work has altogether merited the high character which it has obtained: it has rather increased than cleared away the difficulties of the theory of parallels, which have so long embarrassed the admirers of ancient geometry and of the “Elements of Euclid;” and it has not succeeded, at least in any essential degree, in adding to the simplicity of the demonstrations, or to the clear and logical connexion and succession of the propositions of that unrivalled and unique elementary work, which has alone maintained its place among civilized nations for more than two thousand years. It is proper, however, to observe, that the notes appended to this work are full of valuable and original remarks, and are justly celebrated for the elegance of the demonstrations which they furnish of many important propositions.’

The question intended to be asked on this, is how it is possible for any man to ‘increase the difficulties of the theory of parallels.’ It is conceivable that he may demonstrate the difficulties to be greater than they had been supposed to be; but it is not to be assumed without evidence, that this is what was meant by increasing the difficulties. He may have made vigorous attempts at the solution, and those, like all human efforts, may have been successful or may not; but still there is nothing arrived at, like ‘increasing the difficulties of the theory of parallels.’ It is feared the conclusion must be, that this expression is either a slipslop way of saying that the theory of parallels instead of being made more luxurious for school-boys, was made more of what the poet meant who sang ‘Multiplication, is a vexation;’—or that there is some confusion of ideas, between the desirableness of a point being proved, and a certain sentiment of ill-will against the reformer who goes



about to disturb the ancient and settled opinion that geometry is one of the exact sciences.

Another interrogation may be intimated, which is, whether the difficulties of the theory of parallels, instead of having long embarrassed the 'admirers of ancient geometry and of the Elements of Euclid,' have not embarrassed those who were *not* admirers, or at all events not admirers to the extent of admiring their deficiencies. The statement put forward by the embarrassed always was, that the connexion and succession of the propositions they complained of, were *not* clear and logical. They did not beg anything to be added to these virtues; they complained of their absence altogether.

There can be no difficulty in coming to the conclusion, that the paragraph quoted above, is rather lack-a-daisical, and not creditable *per se* to British geometers. But there is no necessity for leaving either Euclid or Legendre under a groundless charge. It is worth something, in all cases, to know exactly what a man has done and what he has not. Living at a period when it was manifestly of great importance to collect the known elements of geometry with a view of arriving as rapidly as possible at the actual field of conflict on which new conquests for practical science were in the fact of being made, Euclid would have been much to blame if he had said,—'I could write fifteen Books on these subjects, but I am harassed with some difficulties on the subject of parallels. I have never been able either, to make out to my perfect satisfaction how a "straight line" should be defined, and there is even some difficulty with the metaphysicians about a "point." It is therefore my intention to sit down for a score or so of centuries, and when we have gotten light upon these subjects, I shall begin.' It would manifestly have been a great drawback to human knowledge, if Euclid had done this and everybody else had imitated him. Fortunately he set no such example; but sat down to write in order all he knew, and (with exception due of what he knew not) did it well. The things which puzzled him being for the most part at the commencement of his subject, he huddled them up into some twenty Axioms and Postulates, and that, to say the truth, clumsily and lazily enough; for with the exception of the Axiom on parallels, and those (whether given under the title of Axiom or concealed in Definitions) which relate to the nature of the straight line and plane, there is not one that with a moderate portion of trouble might not have been demonstrated as clearly as any of those which had the luck to undergo that process. The truth is, that he had no more notion of waiting for the demonstration of the theory of parallels, or any other of the difficulties that beset the

threshold of his science, than the captain of an Indiaman ordered for Calcutta, has of demurring to weigh his anchor till he is possessed of the same solutions. And what he did, like the captain of the Indiaman he did well ; bringing home a gorgeous cargo, while other men might be employed at home in looking for the missing portions of the theory. But all this has a tendency to throw ridicule on the philosophers, who never discovered that Euclid had deliberately jumped first principles, and merely thrown a mass of data into the form he thought convenient for beginning. If he had jumped half the First Book besides, there is little doubt they would have been equally contented, and geometry would just as much have been their 'perfection of reason,' the exact science *par excellence*. The permanence of Euclid's fame, like that of the man who discovered wheat (the ancients call him Triptolemus), depends much more on the difficulty of discovering the thing over again, than on the perfection at all points of the first results. Triptolemus will always be the father of them that handle the peel and kneading-trough, without inquiring whether he made 'French Rolls and Fancy Bread.'

All this holds of what may be called the 'conservatism' of science. Because a man in the early ages of the world has done one thing well, it is a sort of crime to surmise that he has done another ill or not at all. The jealousy *læsæ antiquitatis* is as distinctly visible as in other cases; and there is the same disposition to thank heaven for ignorance, and bless the maker for being content with things as they contented preceding ages. In spite of this, there have been spirits of rebellion from time to time, and men have not been able to conceal their desire for the possession of the missing members. Few have laboured more strenuously, perseveringly, and candidly in this cause, than the illustrious Frenchman named in the Address. He inserted, added, withdrew, inserted, and added again; thus leaving a monument of the sincerity of his own desire for truth, and of the importance he attached to its attainment upon this particular question.

The fact is that all geometers are possessed with a lurking consciousness, that so long as the theory of parallels remains uncleared, their science is cut off from being what it ought to be, the salt wherewith the world is salted in the matter of sound reasoning. And if each was allowed to make exception of his own little contribution of sophistication, they would probably go further and agree, that instead of the *initia* of geometry having been made an arena for the nerving of reason and the invigorating of sound logic, they had been something much

more like a school in which each particular professor tried how far he could dull his pupil's perception of the difference between the proved and unproved, and send him into the world with some ingrafted notion of the peril and unprofitableness of meddling with first principles. A discovery on the Theory of Parallels would clear away a mass of rubbish at the threshold of the dialectic art; and though it might not be immediately followed by liberal governments and the freedom of commerce throughout Europe, it would have a tendency of the same nature as the discovery of Euclid in the Arabic had to the demolition of the feudal system.

The Quarterly Journal of Education subscribes to keep up the ball on this question, by a commentary on a work an earlier edition of which was the subject of an article in this Review\*, and of which a later has just appeared bearing signs of alterations directed to meet the objections of the Journalist.

'Twenty-seven closely-printed pages,' or the half, are enough to scare even a man of a good courage; but what is to be done, till the thing can be done in less? Under existing circumstances, it would be a point gained, if the object were effected in any compass below what the scriptural hyperbole intimates as being what the world itself could not contain; and this, because there would evidently be the greatest probability, that if a clue to the truth were once laid hold of, the thing would *fine down*, and be reduced in the end to something of more satisfactory dimensions.

The Journalist will of course be glad to know, that what in the second Proposition on the disputed question of Parallels (Prop. xxviii B.) he reported as 'breakers ahead,' and thereupon, he says, 'put about immediately,'—would if examined, have proved to be nothing but the omission of a proviso, of the same kind as if a surgical writer prescribing scarification, cauterization, extirpation, and amputation, had omitted to insert 'Provided always the patient shows no signs of getting well in the interval.' The point left unguarded, was not the danger but the cessation of the danger. If the lines (EG and DF, p. 109 of Qu. Journ.) ever meet, there is an end of difficulty; the cause of all the turmoil, being the absence of demonstration that they *will*. The omission is supplied in the new edition; and the objection taken to the want of generality, appears to be removed at the same time.

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\* Westminster Review, No. XXVI for Oct. 1830. Article 'Geometry without Axioms.'

The Journalist (and any man may plunge into a mistake in writing rapidly for a periodical publication) has fallen into an extraordinary misprision, in supposing it was ever laid down that 'no proposition is either to be admitted or denied without proof.' This would indeed be a droll sort of skepticism. He appears to have been misled by the imperfection of the phrase '*negative* of a proposition,' as used in the place referred to (Nomenclature 31 of Book I). Whether the innovation will be tolerated, which in the fifth edition coins the term '*connegative*' to express the case 'when a negation is inserted both in the premises and the conclusion, and the proposition so arising is presented as a new proposition,'—is for logicians to determine; but this manifestly is something quite different from the simple negation of a proposition, with which the Journalist has confounded it. This mistake is all the ground there was, for attributing to the author of '*Geometry without Axioms*' the portentous doctrine, that nothing is to be *denied* without proof. All that holds of this, including the figure in p. 108 of the Quarterly Journal, may consequently be cut off.

The world would have been glad of more acquaintance with Apollonius of Perga. The fragments of him preserved by what may be suspected to have been inferior men, prove him to have been a resolute hunter after demonstration. If his attempt at demonstrating that 'things equal to the same are equal to one another' is correctly given\* by Proclus\*, it fails from not insisting on the coincidence of the two magnitudes with the third *at one and the same time*. As in the story of Columbus's egg, this is the little tap which sets the thing upon its end. The Journalist gives rather hard measure to the author of *Geometry without Axioms*, when he 'admits' all the 'impropriety' said author charges upon Euclid, and then 'is at a loss to see what advantage is gained in the proof.' The Journalist's proceedings on this part of the subject, are a specimen of geometrical conservatism, and how much may be done to save the credit of the fathers. Euclid no more meant his Axiom on coincidence to contain his definition of equality, than he meant the Proposition that the sides opposite to equal angles are equal, to contain his definition of an isosceles triangle. As one proof of this, he uses the term 'equal' and its derivatives, six-and-twenty times before he bethinks himself of his Axiom. The simple fact is that Euclid was thinking of

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

\* *Procli Comment. Lib. 3.* In the same Book Proclus records his high disapprobation of Apollonius's attempt to demonstrate the Axioms, 'in a spirit of opposition to Euclid.' From a passage in *Lib. 2*, Apollonius appears to have been further discontented with the Definition of an angle.

something else. The last amended version of the proposed demonstration is here next given; with a notification of the fact, that sixteen other verities usually administered in the form of Axioms, are derived from it with apparently as much regularity as any other set of sequences in the rubric of the orthodox.

‘THEOREM.—*Magnitudes which are equal to the same, are equal to one another.*

Let A and B be two magnitudes, each of which is equal to C. A and B are equal to one another.

A 

B  C 

\* I. Nomenclature 14. Because A is equal\* to C, if the boundaries of A were applied to the boundaries of C, A would coincide with C, or might be made to do so by a different arrangement of the parts of A. And because B is equal to C, in like manner might B be made to coincide with C. Let then the boundaries of A and the boundaries of B be made to be applied to the boundaries of C at one and the same time; and because A and B then and there coincide with one another, they are† equal. And in the same manner if the magnitudes equal to C were more than two.’—*Geometry without Axioms*, p. 8.

If an accurate definition of an angle was given in the place of an inaccurate one, it does not seem to follow that the definition was ‘a dead letter’ because the subsequent ‘treatment of the angle was the same as that of Euclid.’ The utility of defining an angle to be a plane surface, is that it makes reasonable the addition and subtraction of angles as afterwards practised; which is surely not being ‘a dead letter.’ And while on this subject,—why does the Journalist turn *radius vectus* into *radius vector*? The things are intrinsically different; the *radius vectus* carries nothing, but itself is carried; the *radius vector* is the travelling carriage of a point.

The demonstration of the Twelfth Axiom proposed by M. Bertrand is the subject of additional examination in the Appendix to the last edition. Professor Thomson in the Notes to his Euclid (p. 355) has directed attention to the similarity between the proposed method of M. Bertrand and that of Proclus. Both of them appear to be ingenious modes of substituting empirical inference for mathematical demonstration.

As the part entitled ‘Intercalary Book’ was not in the edition of the ‘Geometry without Axioms’ formerly noticed in this Review, it may not be superfluous to state, that its principal object is to derive the straight line and plane from properties of the sphere. The question on which the whole turns, is the

demonstrating that two spheres touch only in a point. This being supposed successful, it is easily collected that if two touching spheres are turned as one body about the two points which are their centres, the spheres (as long ago observed by Plato) are without change of place, and consequently their point of contact is so too. After which, it is only necessary to suppose a succession of touching spheres about the same centres, and the *locus* of the point of contact will be a line having the property of being turned about its two ends without change of place; which is a *straight* line. A lengthy proof, which anybody is at liberty to reduce in bulk that can, shows that if two equal spheres are brought into contact, and about their centres two greater spheres equal to one another are described, a straight line from the point of contact to any point in the intersection of the greater spheres, will on the whole being turned about the two centres, describe a surface having the property, that the straight line joining any two points in it will lie wholly in that surface; which is a *plane*. As the demonstration that spheres touch in a point, involves some novelty in the mode of proof, the principal case is here given entire from the last edition. The references in the margin to points previously established, will serve to point out that there *were* such references. The objections made by the Quarterly Journal in p. 113, have manifestly been had in view.

**THEOREM.**—*If two spheres touch one another externally, they touch only in a point.*

Let the two substantial spheres whose centres are A and B touch one another externally. The one cannot touch the other in more than a single point at once.

For if this be disputed,

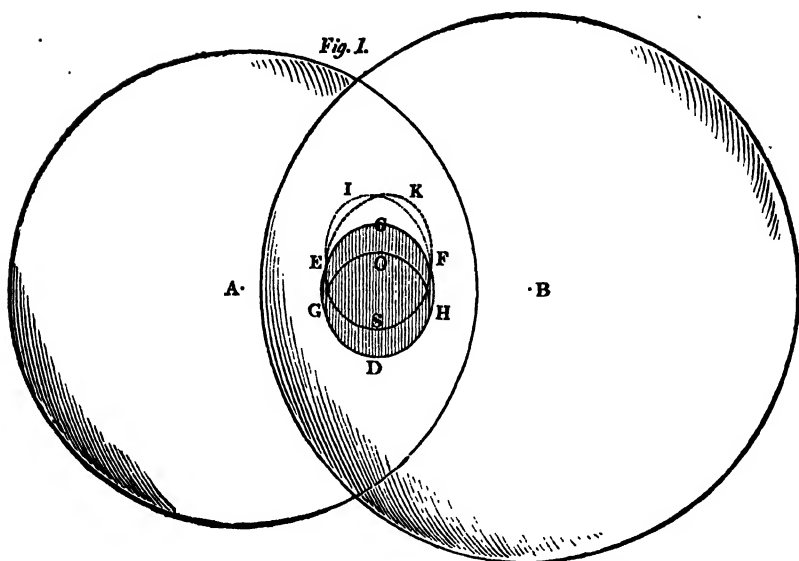
*First Case;* let it be assumed that they coincide in the surface CEGDHF in Fig. 1 below, and not elsewhere; and let this surface be supposed marked on each of the spheres, as for instance with ink, so as to be recognized when the sphere is turned into any other situation. If then either or both of the spheres be turned in any manner whatsoever about its centre, they must still always coincide in the surface in fixed space CEGDHF and not elsewhere. For if they do not, one or both must have suffered change of place; which cannot be, for each of them will be\* without change of place. Let then the sphere whose centre is A, be turned† about A, till the point C in the marked surface be‡ brought into the situation I, the rest of the marked surface which was originally in the situation CEGDHF being by the same turning brought into the situation IESF, such that part of the marked surface continues to coincide with part of CEGDHF

\* INTERC. 4.

† INTERC. 2.

‡ INTERC. 4.

Cor.



and part does not ; and because the spheres must still coincide in the surface in fixed space *CEGDHF* and not elsewhere, the portion *CESF* of *IESF* must coincide with the sphere whose centre is *B*, and the portion *IECF* not. Let now the surface *IESF* be returned into its original situation (by turning the sphere back again about its centre *A*) ; and let the portion of *CEGDHF* with which *CESF* thereupon coincides, be *OGDH*. And after this, let the sphere be turned about its centre *A* again, till the portion of its marked surface *OGDH* is brought into the situation *CESF* as before ; and let the sphere whose centre is *B* be turned about its centre till the portion of its marked surface which originally coincided with *OGDH* coincides with *CESF*, the remainder being thereby brought into the situation *KECF*. Wherefore the two surfaces which at one time coincided entirely with one another, do at another time coincide in the portion *CESF* but in the remaining portions *IECF* and *KECF* they do not ; and in like manner if the spheres are turned till *CESF* is of any other magnitude that can so be given to it. Which is impossible. For if the two surfaces are made to coincide entirely as in the situation *CEGDHF*, the portions *IECF* and *KECF* can in no way be made to cease coinciding and be separate while in the portion *CESF* the two surfaces continue to coincide, otherwise than by a change of form (that is to say, by their particles, or some of them, being moved among themselves) ; which cannot be, for the bodies on which the surfaces are exhibited

\* I.Nom.3.

† I.Nom.26.

are hard\* bodies. The assumption†, therefore, which involves this impossible consequence, cannot be true; or the two spheres cannot coincide in the surface CEGDHF. And in like manner may be shown that they cannot coincide in any other surface.—*Geometry without Axioms*, p. 18.

The collection of methods proposed for solving the difficulty contained in Euclid's Twelfth Axiom, has been carried to thirty. One of the most remarkable additions is the method proposed by Mr. Ivory, extracted from Young's 'Elements of Geometry,' which, though praised by the commentator, curiously enough contains in itself the elements of its own dissolution.

The leading alteration in the part on Parallels, is the confining the process to establishing that the three angles of a triangle cannot be *less* than two right angles; which is all that is necessary to the object. Among minor alterations may be noted the change in the order of the Propositions with which Euclid commences the First Book. The part also which relates to the amount of the interior and exterior angles of rectilinear plane figures, has perhaps been for the first time what Blackwood calls *combed through*.

There can be little doubt of the Quarterly Journal being right, in its belief that Mascheroni's *Géométrie du Compas* was at the bottom of the story of Napoleon's pursuit of 'circular geometry.' But this does not affect the fact of the story having been the exciting cause of the investigation into the connexion between the straight line and sphere, and of its influence having depended on the interest attached to everything supposed to have originated with Napoleon.

As the Quarterly Journalist has evidently done much good to 'Geometry without Axioms,' he will perhaps do a little more.

ART. X. 1. *Recherches sur la Population dans le Royaume des Pays Bas.* Par M. A. Quetelet.—8vo. Bruxelles.

2. *Sur la possibilité de mesurer l'influence des causes qui modifient les Elémens Sociaux.* Par le même.—8vo. Bruxelles.

3. *Considérations sur les principaux moyens d'améliorer le sort des Classes Ouvrières.* Par M. Arrivabene.—8vo. Bruxelles.

4. *Des Moyens de soulager et de prévenir l'Indigence, &c. &c.* Par Edouard Ducpétiaux, Inspecteur Général des Prisons.—8vo. Bruxelles. 1832.

5 *Description Statistique du Royaume des Pays Bas.* Par T. I. de Cloet.—8vo. Bruxelles.

6. *Budget Général des Dépenses et Services de la Belgique.* Pour l'année 1834.

**I**F the Belgian Revolution had not possessed an essential spirit of buoyancy, it must have long since been swamped by



the deluge which the open windows of literature let down upon it. To say nothing of the seventy protocols, or the diplomatic *notes verbales*, or the columns of newspaper comment and correspondence, or the magazine and review articles,—not less certainly than three hundred separate publications, great and small, have appeared on the subject.

Belgium is entitled to the deep gratitude and continued attention of Europe at large. No other country offers so useful and so gratifying a lesson. Her independence is the only perfect political result of the Revolutions of 1830. She has taught us that government and diplomacy do not form that deep and abstract science which interested men—the holders of the reins—would wish the world to believe. Her self-taught statesmen and undrilled ambassadors, have proved that the secret consists in perceiving the spirit of the age, and in guiding it with skill; in adapting measures to the tastes, the wants, and the wishes of mankind. Belgium worked out her own salvation, in the teeth of the coalesced despotisms, and in spite of every sort of danger which could beset a people struggling into nationality. Religious bigotry and aristocratic power crept into her cradle only to be strangled. It may be thought she has ‘but scotched the snakes, not killed them;’ but experiment will prove that they are finally defunct. The Belgian people have started at once from infancy to manhood. They now afford the example of a great social experiment, and not on a diminutive scale. A population of above four millions, which formed for several centuries what the Abbé de Pradt happily called a continental colony, are now established as an independent nation, labouring for the accomplishment of its internal organization, on the basis of a constitution unparalleled for liberality among the various codes of Europe.

Notwithstanding all that has been said or sung on the subject of Belgium, much ignorance prevails. Heavy statistics and flimsy declamation had long alternately weighed upon and inflated public opinion, until to escape from the first it suffered itself to be carried away by the latter. The subject has been generally considered as over-done. The truth is it has not been done properly. The action of Belgian politics has been like that of an uneven-paced horse. The exercise has fatigued without refreshing; lassitude has succeeded to excitement.

In examining the present situation of Belgium, the state of its parties must be first glanced at. There are manifold errors afloat on that head. The distinction commonly adopted of ‘Catholics’ and ‘Liberals’ leads to a very erroneous notion in other countries. It conveys an idea of two factions, like Whigs

and Tories, struggling against each other, with no feelings or sympathies in common but the lust of power and the greediness of pelf. The distinctive words applied to designate each, are in reality appropriate to both; for both are catholics in religion, and liberals in politics. There is not one protestant or dissenter in the Chamber of Deputies, and only one in the Senate; nor does either body contain a member who does not advocate free principles, a representative government, and the nearly democratic constitution of Belgium. The Catholics and Liberals profess a common creed on the subject of foreign policy. They repudiate the patronage of protocols. They condemn the temporising system of the *juste milieu* ministry which has so long ruled the country; yet they give their support to men they despise and measures they decry, and are the very instruments of triumph to a policy wholly at variance with their wishes. They oppose the government by words, yet uphold it by votes. They labour to prove to the nation their own disinterestedness, and the incapacity of their rulers. But they will not unite to force those men from power. They are content to humiliate without displacing them. Each party looks to the possession of office; but neither is sure of being the next chosen. They are mutually afraid that by removing the moderate incapables now in power, they should only make room for violent enemies,—should change neutrality into open war. And thus the *juste milieu* ministry is upheld by the action of its enemies rather than its own. And thus an appearance of emaculate indifference is given to the country at large, very far from its real feeling, and which must be ere long belied. A definitive settlement with Holland, which no possibility can protract much longer, must sweep the present ministry from place; and then the national policy will assume a distinct and positive colouring far different from its present neutral tint.

It is not to be predicted which party may prevail. It is probably of little consequence. Whichever it may be, the men composing it must adapt themselves to the necessities and the spirit of the times. Of this the friends of freedom have no fear.

The only great difference between the Catholics and Liberals, is on the subject of priestly power, with its great off-shoot,—public education. The one party is desirous of giving moral and religious instruction to the people through the medium of the clergy, without fearing any evil results from their political influence. The other would withhold from the clergy such a powerful means of regaining the influence so perilous to civil as well as religious liberty.

Nothing can be more mistaken than the received belief in the intense and unmitigated bigotry of the Belgian priesthood. It would be unfair to compare it with that of Spain or Portugal, or even with the Bench of Bishops in our own House of Lords, or the purblind ecclesiastical corporations of Oxford and Cambridge. It contains, no doubt, many of the vices inherent in its tribe. It holds a great portion of the population in degrading trammels of ignorance and superstition, but it knows it cannot retain them. It is well aware of the force of knowledge bearing down all impediments. It has long seen the approaching flood, and has prepared its ark to float with safety on the tide it cannot stem. The influence of the Belgian clergy at the time of the revolution was immense. How was it displayed? In strenuous co-operation with the liberal party for the establishment of the constitution, which totally separates the power of church and state, which gives a death-blow to priestly privilege, and utterly severs the union between throne and altar;—in energetic efforts for the election of a Protestant King;—in cordial approval of every measure of general toleration, and for the support of the ministers and churches both of the Reformed and Jewish worships;—in unanimous votes for the entire freedom of the press, the deadly and indomitable foe to fanaticism;—in creating a system of electoral law, which gives the people a direct authority over every possible abuse both of state and church.

Persecution on account of religious opinions is unknown in Belgium. The Abbé Helsen, with one or more associate priests, has for many months preached flat heresy to thousands of the middle and lower classes. No attempt has been made to put him down. The Belgian clergy might be supposed to have the memory of Sacheverel in their minds. They know, better than those of England either did or do, that persecution makes more proselytes than even truth. The doctrines of the new reformer may spread or they may not. It is small matter whether he or some other be the chosen instrument. Enlightenment is a question of date. It must come sooner or later; and the Belgian clergy have not the power, even if they have the will, to restrain it effectually.

These are at once indications of priestly sagacity, and incontrovertible proofs of popular power, which is in other words, the triumph of common-sense. The clergy of Belgium, finding they had no chance from the alliance of kings, ranged themselves at once in the ranks of the people. Any attempt to impose on the multitude, which possesses a free press and almost the widest practical extension of electoral rights, must

be futile. Nations cannot now retrograde. Masses of men will never again be warped by influences which affect individuals. Millions cannot be bribed by any price short of general happiness; and that is now well felt as being comprised in universal liberty. In the æra which has within four years opened on the world, mental rather than material interests are the grand desideratum. Vulgar objects of mere worldly advantage have given place to higher and nobler views. Catholicism must in future adapt itself to the sense of mankind, instead of ruling, as of yore, by the influence of the senses. The doctrines of De La Menais, that involuntary pioneer of liberty, are spreading far and wide through Europe, and no where more decidedly than in Belgium. The clergy there are divided into two palpable classes of old and young; the former, consisting of those venerable bigots who received the tonsure previous to the first French Revolution, are, like all churchmen of the old school, obstinate, but they are also *effete*. The younger men—the immense majority—chiefly admitted into orders since the fall of Napoleon,—for he made but few priests in Belgium,—were the most ardent in their junction with the liberals for the overthrow of the Dutch domination; and they have imbibed, in spite of precedent and education, a broad and wholesale spirit in politics. They do not come from a depraved and haughty aristocracy, but from the people at large; and early associations of liberalism, imbibed in their domestic circles, are little likely to be overthrown by exploded dogmas of doctrine. These men are no longer immured in convents, nor nourished on the double diet of ignorance and profuse wealth. They walk abroad in the world; they mix in the common ways of life; their interests are involved in those of their parishioners; and what is their pecuniary reward? The single archbishop in Belgium, of Malines, receives 21,000 francs, about 840*l.* a-year; the five bishops of Bruges, Liege, Namur, Antwerp, and Tournai, 14,700 francs, short of 600*l.* each; and the following tabular view will show the rest.—

| 13 Vicaires Généraux, about | 130 <i>l.</i> per annum each. |
|-----------------------------|-------------------------------|
| 51 Chanoines ... ..         | 80     "                      |
| 81 Curés of the 1st Class   | 80     "                      |
| 165 Curés of the 2nd Class  | 60     "                      |
| 2,317 Desservans ... ..     | 32     "                      |
| 521 Chapelains ... ..       | 16     "                      |
| 1,450 Vicaires ... ..       | 8     "                       |

It results from this list, calculated and arranged from the budget of the Minister of the Interior for the present year, that this clerical lottery of 4604 tickets contains but one 840*l.* prize and five of 600*l.*; that 247 members of the profession

possess the means of obtaining the decent necessities of life, while the remaining 4288 can be considered as little better than so many privileged paupers. And be it recollected, the Belgian church has no domains, no tithes, no bishop's leases, no vestry cess, no one of the outrageous abuses which exist with us. The only resources of the clergy beyond the pittance above stated, arise from fees, and those not exorbitant, voluntarily paid by the people on the administration of the various sacraments of the Catholic Church.

What power can the state possess over this body which it salaries but does not support? What political influence can a clergy so paid possess over the mass upon whom they are dependent? None. The union of church and state, so frightfully subversive of civil liberty in England and elsewhere, has no substantial existence in Belgium; and the people of that country are even now, by the force of political liberty, emancipated from priestly thralldom, while the priests themselves have partaken the triumph and the glory of this great enfranchisement. They are proud of what they have done; and, paradoxical as it may appear, it may be asserted that the Belgian popish priests are at this moment immeasurably more attached to free institutions and popular rights than the clergy of reformed, revolutionized, and radically enlightened England.

The actual state of Protestantism in Belgium is a branch of the subject on which there is found great difficulty in coming at details. The amount of persons of the reformed religion contained in the official returns of the Minister of the Interior, gives but 2515 individuals. But the Protestant population of Brussels, Antwerp, East Flanders, and a large portion of the province of Liege, are not included in this report; the consistory of one place, and the clergyman in others, having neglected to furnish the required lists to the Home department. The probability is that between four and five thousand is the maximum of the Protestant population. The item in the budget for the support of nineteen *pasteurs* (receiving salaries varying from 160*l.* to 85*l.* a-year, and averaging about 120*l.*), clerks, sextons, churchwardens, &c. is 66,000 francs, about 2,600*l.* sterling. It would be idle to derive from this statement any indication as to the likelihood or improbability of the reformation spreading in Belgium. The seed is sown. The root is already there. But religious reform is not a plant of gradual or steady growth. When the impulse is given it starts up at once, and spreads across the soil with wild-fire speed. Distant or near, the day will surely come; and until it does, speculation or calculation would be but labour lost.

The statements just made, may perhaps prove that the fears of the Liberals as to priestly influence, are exaggerated; and that those of the Catholics as to the dangers of heresy, are not less so. If the two parties could but come to an understanding on these heads, the results would be eminently satisfactory and beneficial. The first would be a renewal of that bond of union which destroyed the Dutch domination, undid the work of all the tools of despotism, and which the true lovers of liberty wish to believe only interrupted, not broken. A junction—the word *coalition* is odious—of the talents of both parties, would give materials for a Cabinet of which Belgium might be proud and Europe envious, fit to maintain the country's honour and independence, and capable of extending its views beyond the narrow horizon of its present short-sighted rulers.

Until this wished-for consummation comes to pass, the actual ministry must continue in place. Neither of the extreme parties will venture to assume the reins of government; an eminent proof of the wisdom of a nation, which Dutch defamation and English credulity have pronounced rash, presumptuous, and incapable of self-control. And if new evidence were wanting of the strength of the misgoverning faculty in King William's cranium, it is to be found in the facility with which the *juste milieu* ministry have managed Belgium for the last year and a half. That country has resembled, for the whole of that period, a vessel proceeding on its quiet course, with the crew below in their hammocks, and the pilots dozing at the helm.

It may be admitted that the Cabinet had a difficult course to steer. But it has shown no vigour or discrimination to make the difficulty less. A *juste milieu* ministry is essentially a government of concession. But then its concessions must not be all on one side and its resistance all on the other. Neither must it march on singly in an undeviating line, only bending to preserve its own balance, like a rope-dancer on a cord. Its track must be varied from right to left, or left to right, as occasions require. Such a system is the least independent imaginable. The error of those who follow it in France, Belgium, and England, has been to fancy it the most so. And the consequence has been that its efforts to stand alone have only added to its weakness, and brought out into stronger relief the prodigious power of the party—if the sovereign people be not degraded by that epithet—on which a liberal government should lean.

For the honour of Belgium it must be admitted that her go-

vernment has not, like those of France and England, attempted to retrograde on the broad road of revolution and reform. The promises of the Constitution have not been once infringed. The principles of the pact have been held sacred. Comparisons are said to be odious; but they are so only to those to whose disadvantage they may be turned.

Many parallels have been drawn between the state of Revolutionary France, and nationalized Belgium since the year 1830. They have been for the most part absurd and erroneous in the very highest degree. With the exception of the love of liberty on the part of the people at large, there is scarcely a point of analogy. And essential points of difference may easily be produced, by stating what Belgium possesses and what France does not.

The Belgian constitution recognizes and consecrates the principle of the sovereignty of the people. No qualification of property is required for a member of the Chamber of Deputies. The qualification for electors is lower than the most ardent patriot would perhaps require it to be for France, and the constitution does not forbid its being still lowered. No treaty with other states is binding on the country unless approved of by the legislature. The principle of popular election to the municipal and provincial councils, as well as the publicity of their meetings, is established and acted on. The right of public association is fixed on the most large and liberal basis. The judges are independent, and not removable at the pleasure of the government. No sort of impediment exists as to the most ample liberty of the press; nor is any security required beyond personal responsibility to the laws they may offend, from editors or proprietors\*. The representatives of the people take no direct oath of allegiance to the reigning king. They only swear fidelity to the constitution†, which, in recognizing the monarch by name, consecrates the principle of royalty in his person. It has been before stated that there is a total separation between church and state. There is also entire liberty for public instruction. There is moreover a civic guard, the great palladium of freedom, not composed of any exclusive or privileged classes, but of the nation at large.

And now as to the respective prerogatives of royalty in France and Belgium.

In France the king treats with the various foreign powers

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\* Not a single prosecution against the press has taken place in Belgium since the Revolution.

† In this respect the Belgian deputies resemble the members of the American Congress.

without any reference to the representatives of the nation ; in Belgium a treaty is only obligatory on the nation when sanctioned by its representatives. In France the King nominates to the Chamber of Peers ; in Belgium the Senators are elected by the people. The King of the French convokes and prorogues the Chambers at his good will and pleasure ; in Belgium, in default of a royal summons they assemble in their own right on the day fixed by the Constitution, and the King cannot prorogue them without their own consent more than twice in one session. The King of the French, through the absence of a formal recognition of the principle of the sovereignty of the people, may rest his claim to the throne as much on his birth as on the choice of the country ; the Belgian constitution established the principle that the royal power emanates from the people alone. The King of the French has the unlimited privilege of extending mercy to all criminals ; the King of the Belgians cannot pardon a condemned minister without the consent of one of the Chambers. A minister under impeachment in France would be tried by a Chamber of which all the members were nominated by the King ; the High Court of Appeal is in Belgium the tribunal for judging such offences, the members being chosen by the Senate and by the Court itself. The French constitution proclaims a false principle, namely that all justice emanates from the King, and in consequence of this principle gives him the right of appointing the judges ; in Belgium all justice is held to emanate from the nation, and therefore the King may only chuse the judges from among the candidates elected by the Senate and the various courts of appeal. The King of the French appoints the members of the *Cour des Comptes* ; in Belgium they are nominated by the Chamber of Deputies.

To this parallel may be added, that Belgium already enjoys all the advantages solicited so long in vain by the French nation from its representatives, such as the abolition of *la mort civile*, and of the monopolies for the manufacture of tobacco and others. And it may be further observed that the French *charte* not recognizing the possible necessity of its own future modification, nothing would be left to the people in case of such a want, but submission to the imperfections of the *charte*, or a new revolution in order to obtain its amelioration.

Needs there now be drawn, on ever so small a scale, a comparison between the systems of government respectively in force in England and Belgium ? Is it necessary so to humiliate a people who ought to be the first in the world, by showing the superiority of another which is the newest, and which Tory prejudice would stigmatize as the least worthy ? Other points



of contrast will become flagrant on proceeding. The Belgian nobility, like that of most other countries, presents a broad surface of mental mediocrity, dotted here and there with a mole-hill of talent, which the rarity of the thing magnifies into a mountain. The comparatively moderate fortunes and simple tastes of this class of persons on the continent, preserve them from the unnatural pride generated by the overgrown wealth of the English peerage. People in the middle walks of life therefore, meet them in the intercourse of society, without an air of arrogant civility on the one side, exciting an irritated contempt on the other. This is particularly remarkable in Belgium since the Revolution, which by raising so many men of humble birth to the station merited by their talents, has taught the pedigreed aristocracy their proper place. In a word, every shadow of feudal pretension has disappeared from that lucky country, simply because the substance of feudal privilege exists no more. The nobility were humbled to the utmost by the Dutch King, who showed on every possible occasion his Stadtholderate leaning towards the people, merely to use them as instruments for keeping down the class which might thwart his despotic views. The nobles felt this keenly, and many of them took an active part in the struggle which shook off this semi-liberal hypocrite and his dynasty from the country. A few of them, in the opening of the revolution, would have assumed an influence in public affairs had their capacities been equal to their ambition. But the popular movement which carried them along, has not thrown to the surface a single nobleman of ordinary talent. Every man of the least distinction for the last three years, has come from the middle classes. Those have, for policy sake, admitted an occasional sprinkling of nobility in the composition of the government. But even since the accession of the present King, not one of the titled nobodies has been chosen to any permanent place, except such in the royal establishments as require small qualifications beyond a supple back and the 'quirks and smiles' of courtier complacency. The aristocracy is therefore a political nullity in Belgium. The Senate which represents 'the order,' is nothing more. The odious abuses of oligarchy have no existence. There is no favouritism, no corruption. The ministers are obliged to devise and follow up measures for the country's good; to chuse the public servants for their merit alone; and they dare not attempt to squander the resources of the state, or cram its offices with creatures whose only claim is some connexion with one of its members. Many of the functionaries are anything but friends of the ministers to whose department they belong. Patronage is not, as in England, only

afforded to greedy and incompetent relatives whom the pride and avarice of some lord in place forces him to provide for, or the political enemies whom he hopes to neutralize. It is not in Belgium, as in England, that talents, industry, experience, and attachment to freedom, form small items of qualification, unless coupled with servility to power or renegade contradiction of principle. All these abuses existed, in a minor degree, in Belgium before the revolution. No doubt the revolution which is now in progress in England, will by and by bring about a better system with ourselves.

There is a certain *clique* appertaining to the equestrian order in Belgium, consisting chiefly of old ladies, that has taken a fancy to call itself 'Orangiste;' the tactics of which produce a small deficit in the show of dowagers at the Queen's balls, and in whose cant it is *mauvais ton* to be seen at those of the Prime Minister. The condition of these poor people is pitiable enough. No one thinks it worth while to attempt a cure, for it is gradually wearing itself out. Such as it is, it offers a curious specimen of fatuity. Political parties generally live on hope, and draw their drafts upon the future. These 'Orangistes' starve on their regrets, and have no fund but the past. They look back on the ruined tyranny, and like Lot's wife, are transfixed to the spot incapable of progress or retreat. The flight of the Nassaus is their 'Hegira, a restoration their Avatar.

The notion of any thing like a serious political party for Orangism in the country is quite exploded. The French Carlists have the illusion of an ancient dynasty to excuse their idolatry. The Irish Orangemen, might plead their English origin, and centuries of identity with the fate of England, for their want of nationality. But not even a pardonable sophistry could be found for a Belgian party willing to prostrate itself to a Dutch pretender, or desirous of submission to a people hostile to it in all the standard principles or active prejudices of human nature. The Belgian blood shed at Antwerp and Louvain, has washed out for ever the title of Nassau to the throne of Belgium. The Prince of Orange can never put his foot on the soil as its sovereign, unless by the possible results of a general war. The man still lives, with most of his associates—and all their purpose,—who told Lord Ponsonby he was one of three hundred sworn to destroy the Prince or perish, sooner than he should reign in Belgium. But there was, and is, nothing of personal hatred to the Prince in this frightful threat. He bears a double character and fills a double place in public estimation. He is pitied as a brave, warm-hearted, light-

brained victim to his father's and his family's misdeeds. He is denounced as the type of a system, the tool of a tyranny, a link in the chain of despotism. The whole thread of his destiny must be untwisted, he must be new-born, un-princed, un-married, un-Nassau'd, before he, or any of his race, can rule in reformed Belgium.

The dethroned King has not a partizan, beyond the few writers in the fewer journals in his pay, whose influence has been completely crushed by the wise impunity granted to their performances. The bull-headed resolution with which William the Obstinate has entailed on his posterity the odium in which he had honestly but a life-interest, has alienated all his old well-wishers, and opened every eye to his real character. The merchants and manufacturers who fattened on the bribes, the means for furnishing which he so cunningly coaxed out of the Belgian nation, upheld his false pretensions for a while, and advocated restoration till they found the country would not be duped nor Leopold bullied. But they have lately become marvellously patriotic and clear-sighted. And there are few, if any, of them who could not and would not now answer very rationally the following questions.—Upon what pretext can the King of Holland claim a right to Belgium? On what was his possession of the country founded? On popular election? On inheritance? On conquest? The only three conceivable sources of power. Was it not founded merely on the nomination of the great powers of Europe? If then they had the right to appoint, had they not the right to dispossess him? As he admitted their privilege to create, can he cavil at their power to destroy? If they saw justly in the one case, why should their vision on the other be held defective? In both cases, if in either,

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*'La raison du plus fort est toujours la meilleure.'*

The misfortune is that the great powers ever constructed the kingdom of the Netherlands at all. But the past is out of the reach of all men. Time never turns round his head to let man pluck his forelock. The Deity repented of, but did not undo, his own work. All that can be done anywhere, is to make the best of what is.

The charitable institutions of Belgium form a very remarkable feature in the social state of that country. The number of works published there on subjects of political and moral economy, speak loudly in praise of the intelligence and patriotism with which men of letters and science devote their talents to useful pursuits and the enlightenment of their fellow-citizens.

Such books as those named at the head of this article, give the lie to a whole file of libels from the Orange, the Tory, and the Royalist presses. Many curious statistical facts are to be derived from these sources. A few of the most interesting may be selected; and first, as to the state of the poorer portion of the population.

The whole Kingdom of the Netherlands is stated in the work of M. de Cloet, to have contained 1733 square leagues,—692 for Holland, and 1041 for Belgium;—giving 3751 souls per square league, supposing the total population to have been 6,500,000\*; while the numbers in England do not exceed 1800, and in France 1700, for an equal space.

The disproportionate magnitude of mendicity in the Netherlands, compared with the facility of nourishment and the industrious habits of the people, demands peculiar attention. Prior to the revolution the amount of poor wholly or partially subsisting on public charity, bore a formidable proportion to the mass of the population. Out of the gross total of the inhabitants, then calculated at 6,200,000, the number of registered poor receiving relief, of all ages and denominations, amounted to 690,000, including 10,000 delinquents confined in different prisons. Which is nearly one-eighth of the whole population living on the remainder, without affording any portion of return.

Of this number, 637,500 were succoured in their own residences, the remainder in various houses of refuge, workhouses, &c.; the whole at an annual expense of 10,600,000 florins, equal to about one-eighth of the general budget of the Netherlands.

It results from sundry official reports and documents on the state of national industry in Holland and Belgium, that peasants and artizans are enabled to gain about three times more than is strictly requisite for their daily subsistence. To what then is to be attributed this vast proportion of indigent persons, in a country so pre-eminently favoured by the salubrity

\* Professor Quetelet gives the population of the Kingdom of the Netherlands to January 1826, at 5,992,666 souls. He calculates the mean annual increase at  $\frac{1}{7}$ , or  $\frac{1}{14}$ , which is about equal to  $\frac{1}{4}$  per 100. Admitting those calculations to be accurate, the amount of population for Holland and Belgium in 1833, would be 6,536,000; that is 2,414,000 for Holland, and 4,122,000 for Belgium. Supposing the treaty of the 15th of November to receive its execution, 174,000 must be deducted from the province of Limbourg, and 157,000 from Luxembourg, making 331,000 souls to be added to Holland, thus increasing its population to 2,745,000, and reducing that of Belgium to 3,791,000.

of its climate, the fecundity of its soil, and the frugality of its people? As positive cause, manifestly to the tendency which provision for a mendicant population has to raise up objects for its own application. The Belgians have the habit of supporting mendicants, and the mendicants have the habit of being supported; and between the two, good care is taken that human efforts are not wanting to keep up the stock. Among negative causes may be enumerated the absence of colonies to induce emigration, and of habits of distant enterprize, which only exist among maritime nations; social institutions so good as not to force the poor, like the detestable tyrannies of Germany, to fly to eternal expatriation as a smaller evil than home misgovernment; the subdivision of property in full progress as generation succeeds to generation; every facility to marriage, and a climate peculiarly favourable to health; the impunity offered to illegitimate increase by the ready refuge of foundling hospitals; and, finally, the absence of discredit attached to mendicity, which, beginning with the priesthood, is extended through the whole system of the population, and must ever be a concomitant of ignorance.

To the foregoing causes of pauperism as particularly applied to Belgium, may be added the abrupt and forced extension given to the various manufactures during the late unwholesome reign. The vigour which they attained was not by the expansion of accumulating capital and increasing skill, but by artificial means of the most pernicious kind. Large establishments were conducted on the most unsound basis, and subjected to more than the ordinary fluctuations of supply and demand. There having been no solidity, and no real prosperity to resist emergencies, the slightest checks were fatal to the speculator; and a mass of workmen with their families were involved in every failure. It is admitted by the ablest commercial men in Belgium, that the failures immediately following the Revolution resulted as much from the factitious support given to the manufactories as from the diminished demand for produce. The cessation of business in almost every case was not gradual but instantaneous; bankruptcy immediately following the withdrawal of extraneous assistance. In other words, the manufacturers were living upon other people's money, as the agriculturists are in England; and when access to other people's purses was denied to them, like all men accustomed to live upon their neighbours, they ruefully felt the difference.

The begging system was encouraged by the late King to a most mischievous extent. All he wanted was servile adherents, not flourishing tradesmen. He obtained from the duped

country a grant of a million of florins per annum, under the pretence of encouraging its manufactures. This item figured in the budget under the title of '*Cas Imprevus*.' But it was better known under that of '*Million d' Industrie*;' and it has been generally designated since the Revolution the '*Million Merlin*,' from a satirical allusion to the magical results it produced on the political opinions of those on whom it was lavished. In a pamphlet lately published at Brussels, some curious revelations are given as to the application of this mysterious fund, by the royal conjuror to whom its mismanagement was entrusted. Eighty-five individual defaulters are mentioned by name, as the chief sharers of the spoils;\* and an arrear of four millions and a half of francs is stated as still due to the country by those borrowers.

In the 13th and 14th centuries, beggars who could not be provided for were destroyed. The chronicles of those days are replete with examples. The popes and councils anathematized and proscribed them without mercy. The kings and parliaments joined with infinite zeal in these priestly persecutions. Louis XI, of base and superstitious memory, employed armies against the formidable combinations of mendicity called Truands, whence our English word truants. Saint Louis, Francis I, and Henry II, on the other hand, raised taxes for the support of the poor. The last dukes of Lorraine tried the same methods of relief. When our Elizabeth established her system of poor-laws, severe penalties were enacted against mendicants, whipping, branding, and death. The three Louis, XIII, XIV, XV, all issued successive, but not successful, edicts against beggars. The French republic made laws with the same result; so did Napoleon; but all was insufficient to reduce the numbers or suppress the trade,—for such has mendicity long become, in most of the countries of Europe. Every effort of repression, every exercise of philanthropy, has been as yet a failure. It is by education, and by education alone, that the evil can be rooted out.

Belgium is abundantly generous in the endowment of mendicity; dépôts, agricultural colonies, asylums, hospitals, prisons, and charitable associations; and many instructive lessons may be drawn from the partial failure or success of those respective establishments, at a moment when the attention of the legislature and the people of England is turned towards a system of relief for Irish pauperism.

Prior to the revolution, the number of charity schools for Belgium amounted to 4,046; of which 489 were maintained by the state, and under the immediate control of the minister of

public instruction. They presented altogether a total of 283,000 pupils, of whom 157,000 were boys, and 126,000 girls, offering a proportion of one in every fourteen of the general population, but varying in a remarkable degree, according to provinces; Namur and Luxembourg giving one in seven, while the two Flanders presented only one in eighty. It is needless to point out, that the latter provinces are those most under the influence of the priesthood.

The sums allowed by the budget, under the head of public instruction, amounted in 1829 to 79,624 florins. The surplus required for the object was furnished by the different communes or by benevolent societies.

Had the efforts of King William for public education been conducted with prudence, they could not have been cited against him as a grievance. But it was the singular fate of this monarch, to throw an odium upon even what was abstractedly meritorious. The primary schools were subject to a most severe regime of inspection, under commissioners appointed by the sovereign. An arbitrary control was asserted over teachers of every denomination. No schoolmaster or mistress could exercise their calling without being subjected to an examination by those commissioners, and being provided with a diploma from government. Even language-masters and others, desirous of giving private lessons in families, were forced to have a licence. It must not be supposed, that these restraints were merely placed in the way of presumptuous ignorance. They were almost avowedly established as obstacles to certain political and priestly influences, and they were managed with so little tact, that the clergy found no difficulty in persuading the people that they were not only an insult to the nation, but an outrage against religion. Hence they took a foremost place in the formidable list of grievances against which the nation petitioned, and a few of which 'the Obstinate' most reluctantly and ungraciously modified, one by one, bit by bit, and always a day too late.

On the establishment of the provisional government, the restrictions on education were removed. Perfect freedom for public instruction was proclaimed; the abuses of the system were remedied; the duties of the Commissions modified. The nomination of the inspectors was given to the provincial states; and finally the Regent, M. Surlet de Chokier, suppressed those Commissions altogether, reserving to the government the right of having the schools which it supported, inspected in whatever manner might be considered most suitable. It does not appear that this liberty has been as yet attended with

perfectly corresponding results. For in some instances the local authorities, availing themselves of the abolition of the compulsory law, have refused salaries to instructors, and the children are consequently left to chance, or the caprice of the municipalities, who may interpret the principle of freedom of public instruction, in such a manner as to conclude that they have the right of altogether refusing to the people the advantages of education. Many other abuses have resulted from the arbitrary interpretation given to this principle, by the local authorities in the small towns and rural communes. The opposition given in the Chambers to the government *projet de loi*, intended to be brought forward last session, has\* thrown embarrassment and uncertainty on the whole system; and it is altogether evident that some positive enactment is urgently required which will sufficiently enable some part of the executive power to fulfil one of the first duties of every government, that of propagating primary or elementary instruction among the humble and industrious classes of society.

It is lamentable to admit, that it is matter of necessity for the organs of public opinion in England, to dwell incessantly on the value of public education. Of all the truths of social economy, this is the most important, yet the most disputed. The perversity of aristocratic and priestly power has been, and is, its only enemy; not without reason, too, for general enlightenment must give the death-blow to the abuses of both. But the free press, like Hotspur's starling, should eternally proclaim one word to the ears of tyranny—'Education, education, education!' And it is well, even though it shame her, to show to England at large, her inferiority in this point to nations, whose political system and whose religious creeds she respectively detests or despises. Prussia, that splendid anomaly of intelligence and despotism, that country of schools and barracks, stands out, in this respect, in advance of all the nations of the earth. The small states of Germany, and France, follow next. Then comes Belgium.

Two millions,—that is to say, one-sixth of the whole population of Prussia,—being children between the ages of seven and fourteen, attend the elementary schools\*, which amount to 22,612 for the whole kingdom. Besides which, every town possesses superior, or burgher schools, for the classes above those which frequent the first. The same calculation may probably be applied to the German states. The exact proportion in France is not known. But in Belgium it is as follows.—

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\* See M. Cousin's Pamphlet on the State of Primary Instruction in Prussia.



The returns for the scholastic year 1832, give a total of 370,996 pupils attending the schools for primary education (divided into *communales*, *mixtes*, and *privées*) throughout the kingdom; the number of the schools being 5,229. Supposing those schools to be frequented, as in Prussia, by children between seven and fourteen, and that this portion of the population in Belgium bears the same proportion to the general population as in Prussia, an amount of one in eleven on the general population is given; a considerable increase on the numbers during the Dutch domination, and a very consolatory proof of the spread of intelligence among the people. To this list of seminaries must be added 1,318 pupils in the various *Athénées*, and 1,788 students in the three Universities.

This superiority of proportionate numbers in favour of Prussia, is owing to the system of compulsory attendance in that country; every parent or master being obliged to send his children or apprentices to school for a certain number of hours each day, under the penalty of a fine. It is not necessary to discuss the question of compulsory attendance. It may be looked on as exclusively consistent with the spirit of despotic legislation, and at utter variance with a free constitution. It exists in Baden as well as in Prussia, but has not been attempted in France or Belgium.

Both Prussia and France possess one immense advantage over Belgium, in the establishment of Normal schools, for the preparation of teachers for the public seminaries. Under the Dutch government there was a school on this principle established at Lierre. Since the Revolution nothing of the kind exists by law,—but there is one public-spirited Professor at Mons, who gives gratuitous instruction to youths desirous of fitting themselves to be teachers in the public schools.

The instruction in the superior schools (*Mittelschulen*) of Germany, as in the *Ecoles Moyennes* of France, is extremely liberal. Besides the various branches of elementary education, it includes geometry, land-surveying, the elements of physics, history, natural history, and geography; vocal music is taught in all the German schools; in the German gymnasia, besides the vernacular, the Greek, Latin, and French languages, arithmetic, mathematics, and drawing are taught, at an average expense (as far as can be stated from personal inquiry in several places) of about one penny per day to each pupil.

Prussia and France possess each a Minister of Public Instruction. Under the Dutch regime there was also one in Belgium. But education there in its present disorganized state is deficient in that essential dignity. The Minister of the Interior is entrusted with this important branch of home policy.

The important subject of public education, the mismanagement of which formed one of the rocks on which the late dynasty was wrecked, has been for the last two years matter of profound deliberation and frequent debate. It will be in the memory of most readers that very angry discussions took place in the Chamber of Representatives last year, in anticipation of a *projet de loi*, which the government were in consequence deterred from presenting. The Catholic party on that occasion rallied all their forces, and baffled the ministerial plans, supported as they were by the Liberal opposition. Since that period nothing further has been openly attempted. But a renewal of the effort is about to be made. A committee has been long employed in the concoction of a feasible project; and from some of its members being leaders of the Catholic party, objections may be conciliated, and the question probably decided before this article is published\*.

It would be superfluous to enter here into the discussion of this question. The arguments on both sides are obvious. It is only to be remarked that the education of the Belgian people had been for two full centuries previous to the late reign entirely in the hands of the priests. Masters of every conscience in the country, they managed the public mind at will. But the check afforded by the Dutch dynasty, though ending in the ruin of the latter, has effected, as has been stated before, the temporary overthrow of priestly supremacy. The object now of all the 'Liberals,' whether in office or in opposition, is not to allow it a chance of being resumed. Many of the Politico-Catholics would, if they saw the danger in the same strong light, unite with the rest. But their fear of what they esteem the greater peril, to wit the spread of deism and republicanism, will most probably lead them eventually to support pretensions which would infallibly end in a return to the old theocracy, were it now possible for the human mind to retrograde.

On many other important subjects, Belgium is in a state of transition, in which great leading principles are in agitation, and many of them not thoroughly understood. The still doubtful issue of the main questions with Holland, prevent the possibility of a final arrangement of her trading relations with other countries, and consequently of a settled scale for her home establishments. Based on false principles, and hitherto

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\* The estimates for the expense of public instruction in Belgium in the present year, amount to 743,200 francs, that is, about £10,000 more than the grant of our Parliament last Session for the education of all England.

nourished by factitious means, the whole system of her internal industry must be remodelled, in consistence with her foreign connexions, and the novel principles which are working their way into almost universal adoption. From everything known and heard, it may safely be stated that Belgium will not be found deficient in those broadly liberal views which are entertained by the most enlightened political economists of other European States.

The feeling of nationality has now so taken root in Belgium, that anything like a junction with France is no longer either a desideratum or a possibility. Belgium is and must be a nation, with a dynasty, a constitution, and an existence of its own. It is a model for the other monarchical states of Europe. The object of all free Europe should be to preserve it as a monument.

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ART. XI.—*Illustrations of the Bible.* By John Martin. Parts I to VI.—4to.

**J**OHAN Martin is the most universally popular painter of the day. His reputation was as rapid in its growth as it was wide in its spread. No painter ever took so sudden and violent a hold upon the fancy of the public. All at once he blazed a meteor in the world of art. The multitude were astonished, and they admired. His first great picture, 'Belshazzar's Feast,' startled like a brilliant firework; which it very much resembles. The *coup d'œil* of this picture produced an electrical effect. It required no effort of the mind to comprehend or appreciate it. People who could see no beauty in the Cartoons of Raphael, were captivated by its novelty and splendour. They were at no trouble to explain the rationale of their admiration. Their praises were re-echoed by the universal voice of the public. It was a bold experiment on the public taste, and its success was complete. There seemed to be no difference of opinion as to the surpassing merits of the picture; no question as to the extraordinary genius of the painter. The language was beggared of epithets to characterize this pictorial wonder. All the attributes of sublimity were assigned to it. 'If such be the outset of Martin's career,' thought the public, 'what may we not expect?' The painter did not disappoint his admirers. He followed up his successful hit by fresh displays which were only less rapturously received because the style had no longer the charm of novelty to recommend it. He seized upon other supernatural events recorded in the Bible. The preternatural seemed the

only field where his imagination could find scope. To 'Belshazzar's Feast' succeeded 'Joshua commanding the Sun to stand still;' 'The Deluge;' 'The Fall of Babylon;' 'The Fall of Nineveh.' If Martin was not equally successful in such subjects as Macbeth, it was only because there was not room for the wings of his fancy to expand. He next multiplied his pictorial creations by means of engraving. Here was new cause for wonder. To think that such a mighty genius could condescend to acquire a mechanical art, and stoop to the drudgery of a copyist! The necessity was easily accounted for; no engraver could be found to do justice to these marvellous productions of the pencil. Thenceforth every engraving bore the stamp of originality. It was soon perceived that the strong contrasts of black and white were no less striking in their effects than the glare of colour. The black of mezzotint admirably imitated the palpable obscure of darkness, and the pitchy clouds of tempest and fiery rain. Next it was discovered that Martin's pictures contained many in one; whereas the pictures of other artists could hardly be curtailed of their proportions without injury. Here was new ground for admiration; and it was gravely proposed, as Juliet said of her lover, to cut them into little stars, each one in itself a world of invention.

Martin now took Milton for his guide to scenes of celestial beauty and infernal horrors; where his genius might revel in the unearthly splendours of Pandemonium, and roam in the antediluvian bowers of Eden, getting bright glimpses of the gates of Heaven. His first publication of the *Illustrations to Milton* was in two editions, the plates being engraved of different sizes from the same designs; and he has since engraved some of the most striking and popular subjects on a still larger scale, to range with his great prints. Not content with having both amplified and reduced the scale of these designs, he has introduced several of them into the *Bible Illustrations*. These repetitions are considered to be proofs of the unimprovable excellence of the designs, as well as of their extensive popularity.

This is but a faint sketch of Martin's triumphant career. His progress has been like the journey of a king or a conqueror;—one perpetual succession of shoutings and homage. The appearance of a new print from his hands is, like the raising of a standard, the signal for his followers to rally round it; and their loud notes of praise, reverberated by the press, are borne upon the wings of the broad sheet to distant lands. But each successive burst of applause now becomes fainter; and a brief interval of pause, which may probably be succeeded by another great shout, gives a chance for the still small voice of reason and argument to be heard.

It would be as easy to deny as to assert the claims of Martin to the high distinction he has attained as an epic painter. But little has been said to prove either the one or the other. Those who have questioned the degree of his merits, have of necessity done most towards proving their case. To his admirers the language of encomiastic praise has been most congenial; and it must be confessed they have made abundant use of it. The why and the wherefore, is too much disregarded by *soi-disant* critics of pictures. The productions of the pallet have been scurvily treated by them. The phraseology of the painting-room, and the cabala of connoisseurship are ready substitutes for proofs by reasoning; and the mere dictum of the writer is all that is vouchsafed in the way of argument. Indeed he has commonly no other reason to give for his praise or blame, than his like or dislike. The judgment of the press is almost as false as the taste of the public. To criticise painting requires a knowledge of the art, as well as of its productions. Few modern critics are thus qualified. Hazlitt was the only great critic of paintings in the recent period. He understood them both theoretically and practically. He brought to bear upon the subject, a mind stored with knowledge, a fine taste, an acute intellect, and an enthusiastic love of the art. He described and analyzed a fine picture, with glowing eloquence. It has been beautifully said of his writings, that 'they threw a light upon the subject, like that of a painted window.'

That Martin is a painter of genius, no one will dispute. A man endowed with superior faculties for some particular art, possesses genius for that pursuit. It is the quality and capacity of his genius that is to be determined, by an examination of his works. Their value as pictures depends upon the inventive power evinced in their conception, and the skill displayed in their execution.

The invention of the painter consists not only in the originality and fertility of his conceptions, but in the power with which his imagination brings before us past scenes and events. His executive skill is shown in the spirit and correctness of his delineation, and the vividness and reality with which the whole scene is represented.

The executive part of painting is a mechanical art requiring a quick and correct eye and a ready hand. It is the mind that gives value to a picture. A lively and vigorous imagination is requisite to constitute a great epic painter. The picture that carries us into the time and place of the event, placing before us the actors in the scene, depicting the character and feelings natural to each, realizes all that the art is capable of. What

the poet has conceived and described, the painter has embodied. In Raphael's *Cartoons of the Death of Ananias*, Elymas struck blind, Paul preaching at Athens, the actual reality seems brought before us. Had Raphael painted Belshazzar, he would have represented his face blank with terror and dismay; his concubines looking to him for support, and aghast at finding his dread greater than their own; while the guests would be gazing with awe and alarm, or hiding their faces in their garments unable to bear the fearful sight. He might have left out the hand that wrote on the wall; for the story would be read in the faces. How has Martin treated the subject? Belshazzar is Wallack the actor, in an affected attitude, with a common-place look of fear; the prophet is the Rev. Mr. Irving; the soothsayers resemble the vocal priests of the opera, arrayed in cumbrous draperies; and the concubines are a mob of females with preposterous trains, fainting in the most extravagant postures. Instead of 'the fingers of a man's hand writing over against the candlestick on the plaster of the wall of the king's palace,' there is a pyrotechnic display of colossal hieroglyphics on the marble frieze of a stupendous temple, lighted by beacons, and filled with crowds of people numerous enough for a whole nation; and what is the effect? Are we sensible of the finger of God; or impressed with awe at the event? Not at all; we admire the brilliancy of the light, the vastness and theatric splendour of the scene. The shew is the main feature, and the event itself a mere opportunity for its introduction. The picture has no moral sublimity. It is a gorgeous imposition. Martin is a wonderful scene-painter. His picture addresses the eye only; and by producing a strong sensation, deludes the spectator into the notion that he is affected by the moral of the event; just as the effect on the senses, of the music, pomp, and incense of the Romish church, is often mistaken for religious feeling.

His Joshua is another instance; but there is no need to multiply proofs. The comparison between Raphael and Martin may be thought unfair, because the styles of the two painters are so different; but as Martin treats the most sublime subjects, his pictures heightened as they are by the aids of splendid scenes and effects, should produce an impression upon the mind equal at least to the unadorned creations of Raphael. But as has been shown, he fails in conveying the sentiment of his subject. He not only does not delineate character nor depict emotion, but his pictures have no human interest. Let him be tried by a lower standard—Rembrandt; and no picture

can be more apt for this purpose than 'Jacob's Dream\*.' The subject is visionary; and the picture depends entirely on effect. Jacob is a Dutch boor asleep in one corner, and his dream is shadowed forth on the clouds. Heaven seems to open, and the spectral forms of angels appear to ascend and descend on a ray of light. The undulating outline of the homely landscape is seen in the distance through the twilight. Nothing can be more simple or more impressive. You are touched with a feeling like that experienced in reading the description of the incident in the Bible. The rude and homely figure has the effect of heightening the sublimity and supernaturalness of the scene, and of bringing its beauties home to us. Rembrandt has represented the vision of Jacob as the patriarch might have dreamed it; and if he had represented it literally as described,—a ladder instead of a beam of celestial light,—the effect would not have been less solemn. It is the feeling of the painter that enters into the picture, which affects the beholder. We view the scene through the medium of his mind, and are impressed in proportion to the truth and vividness of his perception. Were Martin to paint such a subject, he would project a stupendous flight of steps so far into infinite space that we should feel we had no right to see the end of it, and people it with myriads of winged forms, the visions being steeped in light, and set in a frame of black clouds, while a city of palaces built on rocks would be seen in the distance, and a melodramatic figure sleeping in the foreground; yet this display of vast pictorial machinery would not affect the mind so powerfully, as the modest and natural representation of Rembrandt. And why? The more remote a thing is from our habits, the less it affects us. The most powerful way to address the imagination is through the habits, not through the senses. Martin can only do the latter. If he could do both, he would indeed be the great and wonderful painter he is thought. Rembrandt's Belshazzar is only a sensual burgomaster in a jewelled turban and robes; but the abject terror in his brutal face makes us lose sight of its vulgarity, and see only the human being. A coal-heaver horror-stricken, would be a more sublime sight than Macready in Macbeth. The extrinsic aid of splendid dresses and gorgeous scenes, has a less share in producing strong emotions in a picture than on the stage, and in real life none at all. The mind is so absorbed by the passion of the scene, that the decorations

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\* In the Dulwich Gallery.

are impertinent intrusions, which if taken into account, only make their nothingness more evident. Yet these are all that Martin gives us. The characters are lay figures—and as stiff and unnatural—on which to hang showy draperies.

But to consider Martin's merits as a scene-painter. The grand principle of scenic effect is illusion. Illusion implies the reality of the thing imitated as well as of the imitation. Martin's scenes want the elements of reality and probability. They are monstrous creations. If unreality and ideality were convertible terms in art, then indeed, Martin would be ideal. They are not sublime pictures, simply because they do not awaken sublime emotions. The mind is not elevated by the ideas they convey of vastness, grandeur, and splendour; because the vastness is impossible, and the grandeur exaggerated. The eye is dazzled by meretricious glare and glitter, but the sight moves us not. The glories of Martin's pictures 'play round the head but never reach the heart.' If to surprise and amaze were the end and aim of painting, they would accomplish it. Martin's is the hyperbole of the pencil, the bombast of painting. He is to Raphael and Michael Angelo, what Lee and Blackmore are to Shakspeare and Milton. He paints nature upon stilts. His solemn scenes are as gloomy as Young's *Night Thoughts*; his beauties as artificial as the descriptions in Hervey's *Meditations*. His fancy has a monomania; it sees all things through the medium of one set of ideas. His imagination is morbid and feeble; morbid, because it never produces a scene of simple and natural beauty; feeble, because it does not conceive new scenes, but only reproduces new combinations of the same materials on the same principle and with similar effects. His pictures are made by recipe; differing only as the views produced by that ingenious toy 'the myriorama,' which by means of a few landscapes drawn with the same height of horizon, produces by shifting the portions an infinite variety of sameness that teazes till it disgusts; or like scenes composed out of the same set of models variously placed, and viewed under one kind of artificial light, only moved a little this way or that. If you have seen one or two of Martin's pictures, you have in a manner seen all; for you know by anticipation, how he will treat the subject, and are sure to find it composed of the same elements. With him every thing is in excess; multiplication is his favourite rule. But excess is the evidence of a feeble rather than a luxuriant fancy. His cities are composed of palaces piled one upon another with domes and towers; and whether it is the abode of mortals, devils, or angels,—Babylon, Pandæmonium, or the



Celestial City,—there is no essential difference. His landscapes are all alike. The scene of the Paphian Bower is only one of Paradise with a Grecian temple. His mountains and crags too, are all of a pattern ; and whether it rains hail or fire, the clouds are equally black.

The only novelty is in his original idea of accumulating an immensity of stupendous objects by means of perspective, and heightening the most obvious and palpable sources of the sublime. It is a grand and striking idea, but much better adapted to the stage than to a picture. It was an improvement upon Gandy's architectural visions of Pandæmonium, &c.,—strange aggregations of enormous structures ; castles in air with geometrical plans and elevations, each a night-mare to the fancy. Martin cut and set in the foil of effect, the rough gem which Gandy had dug up. He massed and laid out these crowded heaps of buildings into long vistas, piled temple on temple, terrace on terrace, multiplied columns *ad infinitum*, scattered pyramids in profusion, and made Babels as common as shot-towers. Instead of the light elegance of Grecian temples, he chose the cumbrous masses of Egyptian architecture ; and substituted for the statues and classic decorations of Gandy, barbarous and uncouth figures of monsters, and the chimæras of modern furniture ;—the funeral pyre of his Sardanapalus is a heap of couches like the furniture piled up in an upholsterer's ware-room. He sets off the whole with an *ad libitum* effect of light and dark, garnished with the accompaniments of lightning and fire. To return to the illustrations of the Bible, — or rather illustrations of Martin's style of treating subjects in Scripture History ; of which nearly all, it should be observed, have appeared in his Milton. In 'The Creation,' the Creator is represented as usual by a venerable old man with a high forehead, long beard, and voluminous drapery, who is skimming over the surface of the waters, his hands extended in opposite directions, as though he was tossing the planets round him like a juggler, and was about to catch the sun with one hand, and had just flung the moon behind him with the other. The admirers of Martin mistake their astonishment at his boldness in personifying the Deity, for awe at the sublimity of the idea. The scene, strange to say, wants vastness ; for the crags that protrude above the waters are not the summits of mountains, but only masses of rock that diminish the vast expanse of water to a little lake ; besides its being evident from their forms, that they could not resist the volume of water that is supposed to be in motion over them.

In the 'Fall of Man,' and in all the scenes of Paradise, Adam looks like a Hercules ; and both he and Eve seem conscious, not only of the want of clothes, but of the loss of them ; the universal mother of mankind treads the ground like a modern fine lady stepping through the mud to her carriage. The scenes in Eden convey no idea of the youth and luxuriant freshness of the spring-time of nature in its primæval state ; nor of the repose, the seclusion, the security, and the bliss of Paradise. Lakes and alpine mountains, rocks and stunted old trees, are intruded ; and the scene looks bleak and gloomy, wild and comfortless. The idea of luxurious plenty is intended to be conveyed by pine-apples growing like weeds. 'The trees are artificial almost to caricature ; and the whole scene looks like a 'composition.' In 'The Expulsion,' Adam and Eve walk upon a rocky causeway that seems purposely prepared for them. The 'Death of Abel' is a similar scene ; and the altars are erected on the summit of a rocky steep, in order to enhance the horror of the whole ; but it is evident that the contrast of a deed of blood with a smiling landscape would be greater, independently of the probability that the place of offering would be a pastoral scene.

In the 'Deluge' the water descends in a mass on each side of the picture and rushes down a semicircular abyss, carrying with it fragments of rock and myriads of bodies, leaving a central platform of rock for a great heap of human beings, with elephants and camelopards intermixed ; while in the distance is the bed of a huge waterfall greatly magnified. The groups are in the most extravagant and unnatural attitudes, and awaken no feelings of sympathy or horror. The blank desolation and leaden aspect of all nature in Poussin's Deluge, convey the idea of a vast flood, and a sense of universal calamity ; but in this picture we only perceive the efforts of the artist, to bear down the senses with substantial evidences of destruction. There is an utter want of pathos.

In 'The Covenant,' instead of the face of nature having resumed its serenity, and looking hopeful at the revival of her beauty, the scene is made more desolate by an array of rocky mountains. The animals are very orderly descending an inclined plane of rock in pairs, like school-boys going to church, instead of roaming abroad as rejoicing in their liberty. Noah, instead of being a simple patriarchal old man surrounded by his family, looks like a necromancer with his muslin robes ; and the rainbow, instead of spanning the heavens, forms a semicircle above the head of Noah.

The 'Destruction of Pharaoh's Host' is a plagiarism from

Danby's picture of the same subject; especially one beautiful natural effect of the pyramids seen in the distance, their sublime and simple forms rising up against the light of the setting sun. Martin's pillar of fire is much better than the sharp streak of phosphoric light, looking like a slit in the canvas in Danby's picture. But why this sooty cloud of rain? Is not the incident itself grand and appalling enough, but the painter must dress it up with his cloudy pall and the pictorial pomp of effect with which he ushers in all preternatural events?

The 'Seventh Plague,' is merely one of Martin's cities of Egyptian temples with pyramids and beacons, and vast floors of polished marble, with confused crowds flying hither and thither; while a priest in robes is commanding a tempest like another Prospero. A vivid flash of forked lightning serves to relieve the gloom; but it does not give the effect of that pervading brightness that accompanies the appearance of lightning; it only lasts for a moment, it is true, but it lasts as long as the lightning.

The 'Destruction of Sodom and Gomorrah,' is a bird's-eye view of another vast city of palaces; but as they were cities of the plain, the artist surrounds them with rocks instead of raising them thereupon;—the artist can do nothing without rock. An arch of pitchy clouds covers the devoted cities, from which pour like an infernal shower-bath, thin streams of liquid fire setting the distance in a blaze, and only throwing down the central parts; the falling buildings looking like a mass of loose types,—what printers call 'in pie.' Over the rocks in the foreground Lot and his daughters are making their way, past a very modern-looking villa, and Lot's wife is standing on a lower crag in the favourite attitude of Miss Fanny Kemble, her arms upraised, and one foot stretched out to give height to her form. This single figure is proof sufficient that the artist did not truly conceive the spirit of the scene. The 'Pillar of Salt' which she became, conveys the idea of the fixed attitude of one who had deliberately stopped, and was looking back with a settled expression of regret at leaving the city.

In 'The Finding of Moses,' neither the scene nor the persons are Egyptian; and the infant Moses is laid in a little tuft of weeds, instead of 'among the flags' which furnished the 'bulrushes' of which the 'ark' was made. In 'Moses and the Burning Bush,' the scene is no place to keep sheep; but a rocky desert, with a mountain piled up with forests and a great light shining through a tree; it is a mere piece of effect conveying none of the sentiment belonging to the event.

In speaking of these plates little has been said of the drawing

of the figures. Bad drawing is not the only defect of Martin, though it is the only one that his admirers will recognize. As mere executive skill is too narrow a basis upon which to raise a reputation for an artist, so also it is too unimportant a defect, palpable and lamentable though it be, upon which to impugn the character of his genius. This discussion of the merits of Martin's pictures, however, cannot be dismissed without considering their execution. And first of his figures. To take only the groups of Adam and Eve in 'The Expulsion' and 'The Death of Abel,' where the figures are prominent. The drawing is execrable; displaying a merely mechanical knowledge of the exterior markings of the figure, without the power of altering it to suit the action of the body. In the 'Expulsion' Eve looks like a lay figure—a great jointed doll; the group of Adam and Eve lamenting over the dead body of Abel, is a burlesque of nature, both in the attitude and expression. The smaller figures are less faulty, because there is little room for the display of ignorance of drawing and anatomy. But this is no excuse for representing Adam receiving the sentence of God in the attitude of an injured husband watching the approach of the man with whom his wife, who kneels at his feet in the attitude of Canova's Magdalene, has just acknowledged she has committed a *faux pas*. It would be waste of time to go into the long catalogue of Martin's enormities in designing and drawing groups of figures. The taste displayed in their drapery is worthy of the forms they clothe; being not only tawdry and theatrical, but unwearable. The dignity and elevation of his principal personages are represented by the length of their trains. Priests, prophets, and magicians, all look as though they were attired in a suite of window curtains,—Noah, Moses, or Daniel, differing only in the colour of their drapery. Of Martin's colouring little need be said; it is admitted on all hands to be glaring and unnatural, the consequence of his early practice as a painter on glass; and he has himself in a manner abandoned it, by resorting almost exclusively to engraving,—which medium is a great improvement to the effect of his pictures. His effects of light and dark are arbitrary;—that is, they are not to be accounted for on principles of nature. He extends the dominion of light or shade just as it suits his purpose. One of the most difficult parts of landscape painting, is to give to the various objects the proper quantity of local colour, and light and shade, and at the same time to make them harmonize with the pervading effect of the scene; Martin avoids this altogether. He subjects himself to no laws of nature. He may say as Fuseli did when he was painting his

monstrosities ;—‘ *Dom Nature!* she puts me out. Martin however is subject to the laws of perspective,—or rather, he is master of them, and makes use of his sovereign power to put himself above the law. In order to produce the most powerful effect of perspective he raises the point of sight to an aerial height, so as to make his landscape almost what is termed a bird’s-eye view ; and also brings the plane of the picture close to the eye, by which the diminution of objects is rendered extremely violent. He further gives a perspective of depth below, as well as distance before, the eye ; and not content with that, he diminishes the size of objects in the same plane right and left, making a kind of focal perspective, the objects graduating in size as the light does in vividness in a scene viewed from a central fixed point ; thus making an exaggeration of an effect which is in itself so slight as to be cognizable by theory only. This is a license not borne out by truth, nor justified by the beauty of the effect, for the eye being accustomed to the perspective of nature, the appearance is displeasing because it overstrains the senses and perplexes the understanding. In the instance of a panoramic view,—that is, a scene where more is represented in a picture than can be taken in by the eye at one time,—wherever the eye turns, the plane of the picture turns with it, and it is governed by the same laws as a view taken from one point of sight. But not content with these advantages, Martin purposely exaggerates and even falsifies the perspective of his pictures upon occasion. He often shows distant figures larger and more distinctly than they would appear in nature ; satisfied with obtaining the effect of violent diminution in his fore-grounds. He also violates the ordinary scale of proportion in objects near the eye. In the ‘ *Deluge* ’ in these illustrations of the Bible for instance, there are two or three figures on the point of the crag which are gigantic in size compared, not only with those about them, but with those near the eye. Another method which Martin resorts to in order to impress the sense with ideas of vastness, is the application of the well-known rule of relative proportion as a standard of size. The height of a column, a tree, or a mountain, is determined by the size of the man, or animal, or other familiar object of unvarying size. Upon *their* dimensions it depends whether the column shall be twenty or fifty feet high ; whether the mountain shall be of the height of Highgate-Hill, or the Himalaya ; whether a fragment of rock shall be of a size that Ajax might have thrown, or a crag to support a host of people. So far as mere relative proportion of size is concerned, this holds good ; but there are other circumstances that enter into the consideration in a

pictorial view ; viz. the texture of the masses of rock constituting the mountain ; the size of the blocks of marble forming the pillar ; the natural consistency between the comparative height of the tree and the man ; and the probability of the architecture being of such stupendous vastness as is represented. For example, if a view of a street with people be drawn, and a female be represented sitting at a window with a very tiny figure of a man in her hand, this alone does not suffice to convey the idea of Glumdalclitch amusing herself with Gulliver ; because to our eyes, as beings of Gulliver's race, the coarseness of the flesh of the female, and of all the materials, is not made evident. This incoherence would prevent the sense from being impressed with an idea of the actuality of the scene. Gulliver would be Lilliputian in size, while Glumdalclitch would only appear an ordinary mortal.

In Martin's pictures of Satan floating on the fiery gulf, in order to convey an idea of his immense bulk and stature, the rest of the fallen angels are represented no bigger than so many shrimps thrown up in shoals on the forked waves of flame ; but the deception is rendered transparent by the fact that rocks and caverns are drawn to the scale of the figure of Satan, who therefore appears only of the size of ordinary mortals, instead of 'floating many a rood.' The proportions of the caverns of Hell should be on the scale of the ordinary devils, not only to give magnitude to Satan, but to impress us mortals with due notions even of their vastness. It is an argument worthy of Mr. Martin's consideration,—that magnitude beyond probability or belief, fails to impress the imagination ; because the senses refuse to deal with it as a reality, and its effect upon the habitual feeling fails accordingly. Again, in the picture of the Deluge, the ark was a little floating barge, instead of looming in the distance like the floating cradle of a future creation. It would be superfluous to multiply examples ; the mention of these will serve as a key to other discrepancies ; such, for instance, as showing rows of columns in perspective so thickly placed that there is not room for their bulk ; pyramids so close together, that their bases would intercept one another ; landscapes piled up to the clouds, as though the surface of the earth were concave instead of convex. Another trick of expediency may be mentioned to show how much the artist is in the habit of 'begging the question' in his designs. In the scene of the falling Angels from Milton, the artist has drawn them as though they were projected horizontally from the clouds ; and then turned the plate end-upwards, in which position, from the inscription beneath, it is intended to be viewed ; though the

proper way to look at it is evidently the way in which it was drawn, for the action of the figures is not that of falling.

These are only a few of the many proofs that are afforded by Martin's works, that his aim is to impose on the senses; and to effect this object, he resorts to all kinds of expedients. Yet with these 'appliances and means to boot,' his pictures fail in impressing the imagination or enlisting the feelings, as has been shown. Their grand deficiencies are in moral qualities. He does not project his mind into past ages, live in the scene and bring it before us on the canvas. His conceptions are not one and indivisible; they are vast aggregations of huge structures, with crowds of people, and images of physical grandeur, heaped up so as to cram the picture, and fill the immensity of space. The eye is bewildered, and seeks in vain for some place to rest; the attention is distracted, and at a loss for some one incident to fix upon; there is no repose, no point of attraction, and therefore no interest. One single incident vividly portrayed, would be worth the whole of the picture besides. In Poussin's picture of the Deluge, a pair of hands seen emerging from the flood, conveys a fine idea of a man drowning; Martin introduces this image on every occasion, and more than once in the same picture. In the same way, a beautiful group of figures, a striking attitude, some peculiar effect in nature which the artist has seen and admired, is lugged in on every occasion; so that it would seem as if he calculated the value of his pictures according to an inventory of pictorial effects, which is much the same as if a person should sit down and compose a poem or a play out of beautiful passages from others, to fill up a frame-work of his own invention. It is on this principle that Martin employs and judges the effect of vastness and obscurity as sources of the sublime; forgetting that the vastness to be impressive, must be proportioned to our sense of reality; and that the obscure is only sublime when what is shown conveys a coherent idea of the grandeur of the whole. Martin's scenes are neither natural nor ideal. They are the likeness of nothing 'either in heaven above or on the earth beneath.' Instead of partaking of the unearthly glories of the one and the human interest of the other, they share neither. His landscapes are like the flying island, floating between heaven and earth, exciting only wonder. Creation, as God has made it, will not suit him; he must have a world of his own to paint. His pictures are opium dreams, a phantasmagoria of landscape and architecture, as Fuseli's and Blake's designs were of human beings. His style is to the true and genuine art, what the hallucinations of the visionary

are to the realities of life. The time is not far distant when his merits will find their true level, and his pictures be appreciated as the inventions of an ingenious scene-painter, well suited to form the back-ground of an acted oratorio.

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ART. XII.—*An Explanatory Treatise on the Subjunctive Mode, being the substance of Mr. Noah Webster's Fourth Dissertation on the English Language, with numerous additions, and Introductory Remarks, &c.* By H. J. H.—8vo. pp. 63. London; C. Hunter, Bell Yard, Chancery Lane.—1834.

THAT the use of the Subjunctive Mode in the English tongue should 'long have been a subject of perplexity,' to H. J. H., may at first appear to rank among the fanciful evils of humanity. But the utility of writing any given language correctly, is upon examination a matter of far more extensive ramifications than might on the instant be surmised. In the first place, success or failure is strongly decisive of a man's habits of good society; and in the next, which though connected is not identical, it is decisive of the degree of the individual's familiarity with the causes and influences which have induced the cultivated portion of the society to agree in certain uses or disuses.

The exact reasons why a certain form of speech once used has fallen into disuse;—the precise rules by which the translation is regulated, and the precise time at which it may be announced to have taken place;—appear to be incapable of close definition, and if the question could be invested with political importance, it might form on that account as pretty a subject for the eloquence of a Joseph Surface of the House of Commons, as it is easy to imagine. Still the fact is, that things do change. Neither 'the court, the camp, the grove' talks now as in the days of Elizabeth. A few quakerly or hypergrammatical individuals linger by the olden forms; as a well-aged gentleman is now and then to be discerned in the Strand with a hat of antique mould, his only possible reason for wearing which, must be the recollection of having won the love of ladies in it before the conclusion of the gone-by century. As in fashions so in words, the object of the *liberalis homo*, the free and fearless well-educated man who neither covets singularity nor dreads it, will be to hit the mark of the passing age, leaning towards reason if reason be introducible, yet not so much so as to cut off the skirts of his coat because some philosophers have maintained that no reason can be given why coats should have skirts. One explanation of many phe-



nomena, is a halting between ancient ideas of necessity and modern ideas of what may be done without. Thus the ancient idea of a coat was, that it was necessary it should have flaps which could upon occasion be wrapped about the lower limbs as far as the knees if not the ankles, and enable all the nerves therein included to set the weather at defiance. Some inventive genius superinduced the voluptuousness of having a button in the middle of the skirt, whereby the two corners might be doubled outwards and fastened together, for the admission of fresh air and sunbeams when desirable; and the love of ornament innate in man as well as woman, added the idea of a lining of a different colour; both which inventions, though in a shrunk and diminished state like what naturalists sometimes discover of an organ in the transition classes of animals, are to be seen to this hour in the rear of his Majesty's regiments of foot guards, and other classes of public functionaries. Very similar has been the progress of language. Our forefather in the skirted coat, thought himself not safe in body without his flaps, nor in tongue without his subjunctive mode after all capable conjunctions. He had the sentiment of being taken unawares, a lively foresight of what might happen to him if he walked abroad without such provisions. But the more careless race that followed him, *pejor avis*, began to double up their skirts, and undouble their subjunctives. They kept the sentry-box of a coat, for occasions that might require it, and the subjunctive for the same; and as they grew bolder by impunity, they at last dashed along with little more than an apology for either, to give perhaps a *progeniem vitiosiore*, who shall display their *glutai* muscles like the men of Fuseli, and disclaim all reverence for conjunctions in their parts of speech.

But till the time comes, men must not paint their hides and walk naked though the Britons did. It is incumbent therefore on every one to fit himself with decent apparel suited to the times; and if he aspires moreover not to be loutish, he must take some pains to discover what the fashion is. The exact length of skirt now given to the subjunctive mode in English, appears to be, that it is confined to the expression of *conditionality with uncertainty*. Not of simple conditionality; but there must be uncertainty conjoined. There has evidently been a strong and general tendency to reduce its bounds and cut short its borders; and here seems to be the point where as a Frenchman would say, *nous sommes*. And used in this manner, it is not only not burthensome, but it is distinctive; an argument that very probably it may remain without further defalcation. In the spoken language, which may be assumed to

include nine hundred and ninety-nine thousandths of the English used and expended, the perception of the different use is exceedingly delicate and constant ; it is only the *writers*, who in their 'affectations' cannot follow the guide bestowed upon them by their grandmothers. Like *stopping*,—that other bug-bear of scribblers,—if people would only be content to make the written expression a copy of the spoken, they would scarcely ever be at a loss. The authorly rule on the contrary appears to be, to insert the possible *maximum* of stops, taking particular care that nothing capable of being put into a parenthesis, especially if it be a solitary adverb, shall want its company of commas. In speaking to a child, there seldom occurs any difficulty about the subjunctive mode. We say to it without hesitation, 'If it *rain* tomorrow, you cannot go.' But we say, 'If you *are* good, you may come out of the corner.' What is the difference in these two cases, where both are conditional ? That in one case there is uncertainty, and in the other not. The raining or not is uncertain, as are all things of the morrow. The child's being good or not, is a thing decided one way or the other at the present moment ; and therefore the subjunctive is not used.

And this distinction is actively useful in common life, as contributing to the clearness of communication. Let a man in the street be heard saying 'If the child be a boy,'—and it is known directly that he is speculating on the sex of a child unborn. But if he says 'If the child is a boy,'—the immediate inference is, that he has heard of a child being born into the world, but has not yet heard of what sex. Such a difference might lead a police-man to the discovery of a murder. Again, a gambler claps his hand upon a card and says 'If it is an ace, you win.' But if he makes a proposition *de futuro*, he says 'Let us draw a card, and if it be an ace, you win.' In one case the thing is decided, in the other it is yet to be decided.

A necessary consequence of this limitation of the subjunctive, is that it may be considered as existing almost solely in the future tense. The nearest to an exception, is probably where the subjunctive is used in cases where the question, though the decision has actually taken place in one way or other, is represented as still doubtful to the speaker. 'If there *be* any defect,' says Blair, 'it is in the words immediately following these I have quoted.' Here the use of *be* forcibly intimates the uncertainty existing in the speaker's mind, although it may be undeniable that the doubtful fact is already decided one way or other in the existence of things. Distinct from all, is the use of *be* as the old English present ; as in Hamlet's 'O there *be* players.'

The most flagrant misuse of the subjunctive, is in applying it to times past. Such expressions as 'If the builder of the pyramid *were* Cheops,' appear to be totally indefensible, whatever may be the degree of uncertainty attached to the question. But a nice point, and one accurately laid down by H. J. H., is that the subjunctive hypothetical *were*, is a present and future, but not a present. 'If I *were* in a situation to defend myself, I would disdain to flee,' and 'If I *were* ever to have a seat in parliament,' appear to be both perfectly accurate. When *was* is used after the conjunction improperly, it is because it relates to an action not past. A man that is heard saying in the street 'If I *was* the rogue you take me for,'—is not speaking good English, unless he happens to add 'I have reformed since.'

The difference between *will* and *shall*, with their tenses *would* and *should*, is of much more difficult determination; and it must strike foreigners as an extraordinary peculiarity of the English language, that not even the natives of Scotland and Ireland ever acquire the use of them in precisely the same way as the inhabitants of England. *Will* implies futurity with will or consent of the speaker. *Shall* implies futurity, often against the will of the person spoken to. 'I will,' or 'I won't,' in the mouth of an insolent girl, implies merely a determined volition; but 'I shall,' or 'I shan't,' implies a determination to act in defiance of the person spoken to. On the other hand a staff officer writing to a subordinate and meaning to be civil, says 'You *will* march at four o'clock, and on arriving at such a point, you *will* send forward &c. '; in which there is an effort to disguise the exercise of authority by representing the deed as flowing from the will of the subordinate. When a translator of Euclid says 'If two triangles have two sides of the one &c.; they *shall* have their third sides equal;' he means to imply a certain forcible necessity that the consequence now for the first time declared shall follow upon the premises. But if he afterwards says 'Because these two triangles have two sides of the one &c. ;' he contents himself with the gentler phrase of 'they *will* have their third sides equal,' for it occurs as a thing on which there can be no dispute or violence, inasmuch as it has been satisfactorily established previously. At the same time the accidental uses of the two words are numerous, and perhaps come in some cases as near to the defiance of rule as it is easy to exemplify.

From certain touches about the book and preface, it is manifest the author is a utilitarian; and every individual of that class who can advance a new claim to knowledge or improvement in any direction, is to a certain extent 'as though he brake a dog's neck,'—and has inflicted a blow of some assignable magnitude upon the great fabric of human evil.

It will be in the memory of many persons, that the author of the Political Register attempted this subject a year or two ago, and was beaten out and out by the cockney Hunt. To those who have not the Tatler, the present book is perhaps one of the most short and useful manuals upon the question.

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ART. XIII. *Report from his Majesty's Commissioners for inquiring into the Administration and Practical Operation of the Poor Laws.* pp. 259. Ordered by the House of Commons to be printed, 21st of Feb. 1833.

THE number of the Westminster Review for April 1833, contained an account of some of the principal abuses arising from the actual administration of the Poor Laws. The present article is devoted to a consideration of the remedies to those evils, proposed by the Poor-Laws Commissioners. Before entering upon this, it may be proper to recapitulate a few of the most formidable and pressing evils that called for a remedy.

In doing this, a good many cases will be taken from the evidence contained in the Appendix (B) to the Commissioner's Report, which consists of answers to the Printed Queries issued by the Commissioners, and occupies nearly six thousand folio pages. Any one who compares this mass of evidence with the evidence hitherto collected on the subject, cannot fail to perceive the superior value of the witnesses. The respondents to the above-named queries are numerous, and belong to all classes of society, while the witnesses hitherto examined by Parliamentary Committees have almost universally been a few persons belonging to a class having a sinister interest to keep up\*.

The evidence of this Commission possesses another advantage. If any one wishes to see the difference between taking evidence in a skilful and an unskilful manner, let him compare some of the best of the Assistant-Commissioners Reports, particularly Mr. Chadwick's, with the parliamentary folios that have been produced during the last twenty years on the same

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\* This has been set in a striking point of view, in a pamphlet lately published, 'Legislative Reports on the Poor Laws.' Of the thirty-three witnesses examined before the Lords Committee of 1830-1, more than half are magistrates, and about one-sixth farmers, consequently about two-thirds of the whole are parties having a fancied interest in the maintenance of the abuses of the system. What good can be looked for from such testimony?

subject. To those who more especially admire hereditary legislative wisdom, the relevancy and sagacity of the questions put to the witnesses by peers of Parliament in the Select Committee of 1830-1, are particularly recommended.

The simply economical effects which Poor Laws mal-administration has as yet produced, are trivial when compared with the moral and political. But that even the former will not long continue trivial, if their causes are not removed or diminished, will appear from what follows.

One of the queries circulated in the rural districts was,—Whether the amount of agricultural capital in the respondent's neighbourhood was increasing or diminishing, and whether such increase or diminution was to be attributed to any cause connected with the administration of the Poor Laws? The answers to this question from all the counties in which the mal-administration of the Poor Laws has made any progress, are, in a decided majority of the cases,—in many counties in the proportion of two-thirds of the whole, in some of more than two-thirds,—that agricultural capital has diminished and is diminishing, and that the administration of the Poor Laws is to be considered as one main cause of that diminution. The nature of the case will be best understood by describing the process in the order of time in which the events succeed each other, illustrating each step by the testimony of competent witnesses.

There are three stages in the course of events that mainly arrest attention, representing respectively the primary, the secondary, and ultimate effects of the allowance system. The first is marked by the transient prosperity of both owners of property and employers of labourers. The second by the diminution of agricultural capital, the diminished prosperity of the employer of labourers, the partial demoralization of the labourer. The third, first by the diminution, then the extinction of rent,—finally, the total abandonment of cultivation;—in a word, by the total ruin of the rich, and the total demoralization of the poor.

The first event in the order of sequences which here demands attention, is allowance to able-bodied labourers in the employment of individuals. The natural and immediate consequence of this is the rise of rates. The equally natural, but not so immediate consequence, is the demoralization of the labourer. The time that elapses between these two events, measures the duration of the farmer's or landholder's gain arising from the former of them. It is to be observed that this gain would never exist at all, if he did not find some means of throwing his proportion of the additional rates on the tithe-owner and the

tradesman, or at least making his gain from diminished wages always exceed his loss from increased rates. But by so doing he continues to be a gainer by the new state of things, as long as that state enables him to purchase the industry and skill produced under the old state. But when that industry and that skill, together with all the morals that accompanied them, are destroyed, he begins to perceive the full consequences of his conduct, and to reap that fruit which though at first it tastes like honey, is afterwards turned to wormwood. The following is evidence of what has been thus generally stated.

‘The farmers themselves (considered merely as occupiers) derive some advantage from ill-administered Poor Laws.’—*Appr (B.)* p. 471 c. *Question 36. Whatfield, Suffolk.*

‘It is the interest of these latter (the farmers) to make up the wages of their labourers by an allowance from the Poor’s Rates, and therefore they are not the proper persons to have the management of them.’—*App. (B.)* p. 520 c. *Question 36. Pulborough, Sussex.*

‘Its diminution may partly be attributed to the effect of the Poor Laws, inasmuch as they induce the farmer to trust to what he conceives cheap labour, that is, from labourers on parish pay, who confessedly do little or nothing well.’—*App. (B.)* p. 377 c. *Question 36. Great Milton, Ox.*

‘The farmer may be said to derive some advantage from the Poor Rates, in the cheapness of labour, and the facility of procuring hands in harvest.’—*App. (B.)* p. 26 c. *Question 36. Wargrave, Berks.*

Mr. Chadwick’s Report from some of the districts in Sussex contains strong evidence to the same effect.—*App. (A.)*

The second point in the process that peculiarly deserves attention, is that which is marked by the decrease of agricultural capital. Agricultural capital may, unquestionably, be diminished by other causes than the one under consideration;—by whatever, in short, shall have the effect of rendering the returns to capital employed in agriculture smaller than in other ways; but that the cause contemplated in the query is a powerful one to produce such an effect, the evidence furnishes convincing proof. The following answer exhibits in a few words the effects of that demoralization of the labourers, which was before indicated as the immediate antecedent of the state now arrived at.

‘Agricultural capital is gradually consuming under the Poor Laws; and persons of property no longer care to enter on a line of business which brings them in contact with a mutinous population.’—*App. (B)* p. 502 c. *Q. 36. Eastbourne, Sussex.*

‘The burthen of the poor has undoubtedly operated as one cause of this diminution of capital, or rather I should say, of rendering it less productive; and has, consequently, discouraged those who have

capital, from embarking it in agricultural pursuits.'—*App. (B)* p. 508 c. Q. 36. *Hamsey, Sussex.*

'Diminishing, and land going down in cultivation. Able-bodied paupers are paid the wages of idleness, while the fields are calling for their hands. One impoverished farmer turns off all his labourers, the rest do the same; because they cannot employ their own share, and pay the rest too in poor-rates. Weeds increase in the fields, and vices in the population. All grow poor together.'—*App. (B)* p. 466 c. Q. 36. *Rougham, Suffolk.*

Evidence might be quoted far beyond the limits of the Report, to the same effect, and to show that, as the more labour is bestowed on a farm the greater will be the return, this return must be less in proportion to the sum expended in poor rates, and the consequent demoralization and diminished industry and skill of the labourer; and that in almost every parish where the rates are highest, the lands are worst cultivated, because the capital that should be employed in tillage is paid in the shape of rate.—*See App. (B.)* p. 964 c. Q. 36. *Pakenham, Suffolk.* *See also the answers to the same question from All Saints, Loweshall, Suffolk,* p. 460 c. *Also Question 36,* p. 319 c. p. 313 c. &c. &c.

There is one thing particularly worthy of remark as connected with this part of the subject. It is, that an increase in the amount of rates takes place on the adoption of the system of allowance to the able-bodied. This increase steadily advances with the advancing demoralization of the rate-receiving class, before any sensible diminution of capital takes place. But as soon as this diminution makes itself felt, the rates which advanced before with a steady and regular march, receive an accelerated velocity, which may be said to bear to their former pace almost the relation which a geometrical does to an arithmetical progression; the demoralization going on with its velocity increased by the removal of the checking power that existed in the fund for employment of labour. The process of action and re-action is something like the following.—

'Such decrease (of agricultural capital) is to be attributed, in a great degree, to the increase of the Poor Rates, which have also been much increased from the diminution of capital; for if, in a parish, two or three farmers are unable to afford to employ their fair quota of labourers, those who are in better situations generally follow their example.'—*App. (B)* p. 497 c. Q. 36. *Lower Division of Chichester Rape, Sussex.*

The results of this rapid advance to a state where in words quoted above 'all grow poor together,' are exhibited in a variety of evidence to the same purport as the following.—

‘Diminishing to an alarming degree. I expect next Michaelmas, very few will be solvent, owing entirely to the present administration of the Poor Laws.’

‘Fearfully decreased. We have hardly a solvent farmer in the parish.’—*App. (B) p. 525 c. Question 36. Slaugham, Sussex.*

‘Diminished very considerably; and I feel no doubt that if their circumstances were inquired into, it would be found that a large majority of the farmers, not only in this neighbourhood, but in this county generally, are actually insolvent. Much of the evil arises from the heavy pressure of the Poor Rates.’—*p. 268 c. Q. 36. Wrotham, Kent. See also same question, p. 567 c. p. 368, c. p. 371 c. p. 369 c. p. 375 c. and passim.*

The last of the effects of pauperism, and one of overwhelming importance, remains to be considered. The effect on some capital, as has been observed, may be regarded as transient, since capital may seek other and more profitable employment. But it is not so with land and other fixed capital. Whatever of the floating capital of the country had been attracted into agriculture by high profits, may seek, when those profits no longer are to be obtained, another channel in commerce and manufactures, or perhaps in the agriculture of another country. But to the soil, and to him who has put his trust in the soil whether as lord or serf, the curse that has once fallen on it will closely cling until some powerful remedy be applied. The process here may be somewhat varied; but in most cases, it may be assumed, that the ruin of the farmers will precede that of the land-owners; that when the land will no longer bear the payment of rent, the land-owner will farm his own land, and will in time himself be ruined in the same manner as the farmer who once paid him rent was ruined before him.

In some cases, however, particularly where the farmers have the management of parish affairs entirely in their own hands, the prosperity of the land-owner may greatly decline, while the farmer continues to flourish. In evidence of this, will be quoted the following answers to Question 36, Rural Queries.

‘I think the Poor Laws have not diminished the capital, but rather the rent of the landlord, as the tenant considers rent and rates as payment for the farm, and one can only be increased at the expense of the other.’—*App. (B) p. 29 c. q. 36. White Waltham, Berks.*

‘Decreased; not from any cause connected with the administration of the Poor Laws. That affects the rental.’—*App. (B) p. 227 c. q. 36. Westmill, Hertford.*

‘The farmers are aware, that (excepting in cases of long tenures and very sudden augmentation of rates) the burthen does not at all affect them. It is a rent paid to the parish instead of to the land-owner.’—*App. (B) p. 2 c. Q. 36. Blunham cum Muggerhanger, Bedf.*



'It should be understood, that Poor's Rates are deducted in all calculations for rent, and that landlords pay them and not the farmer.'—*App. (B) p. 520 c. q. 36. Pulborough, Sussex.*

'Decreasing. The loose manner the laws are administered, and the tenants feeling that they do not in effect pay the rate, but the landlord. I cannot otherwise account for the apathy with which they view, and the tenacity with which, in many instances, they defend abuses.'—*App. (B) p. 39 c. Langley Marish, Bucks.*

A curious point to be collected from the concluding part, is that the tenants have practically found out, that it is not they that pay the Poor Rates but the landlord; and consequently consider them as an affair on which there is no occasion to make themselves unpopular.

The following answers exhibit no unfaithful representation of the ordinary progress of the disease in all its stages.

### *Diminution of Rent.*

'Diminishing, in a frightful degree throughout this neighbourhood. I know the circumstances of the farmers for miles round, and I know them to be in a state of pauperism and penury, which is to be attributed, in a very great measure, to the alarming increase of the Poor Rate, which at once impoverishes the tenants and the estates, and will ultimately RUIN the LAND-OWNERS.' [*capitals so in the original*]—*App. (B) p. 397 c. q. 36. Bedminster, Somerset.*

'It has been seriously decreasing during the last twenty years. Immense numbers of farmers have lost their all, and are now paupers. In fact, land-owners, occupiers, and labourers have been seriously sinking during that time.'—*App. (B) p. 472 c. q. 36. Wickham Market, Suffolk.*

'I believe that many a farmer who has now given notice to quit his farm, would hold it on if better regulations concerning the management and employment of the poor were enacted. The farmers are incompetent to manage the poor, and their interest is at variance with that of their landlord and the community.'—*App. (B) p. 33 c. q. 36. Steeple Claydon, Bucks.*

'—an increase of rates greater in proportion than the most liberal reduction of rents on the part of the landlord, and which consequently counteracts any benefit the tenant would otherwise derive from every such reduction of rent.'—*App. (B) p. 45, c. q. 36. Thorn-ton, Bucks.*

'Annual value of the real property, as assessed April 1815, 3,390*l.* Annual value of the real property, as assessed November 1829, 1,959*l.* 5*s.* It has undoubtedly fallen in value since the last valuation, *i. e.* in the last two years; and the population has been more than trebled in 30 years; 1801, 306; 1811, 707; 1821, 897; 1831, 938: and this in spite of an emigration of considerable amount at the parish expense in 1829. The eighteen-penny children will eat up

this parish in ten years more, unless some relief be afforded us.'—*App. (B)* p. 521 c. q. 36. *Westfield, Sussex.*

'Small farms which used readily to let at 15s. per acre and more, now are advertised near here by me for two years together, and cannot be let at 7s. per acre.'—*App. (B)* p. 505 c. q. 36. *Frant, Sussex.*

'Diminishing, and the Poor Rates increasing, and the land rapidly decreasing in annual value.'—*App. (B)* p. 577 c. q. 36. *Monkton Farleigh, Wilts.*

'The increasing rates must ultimately lessen the value of land.'—*App. (B)* p. 244 c. q. 36. *Farningham, Kent.*

'If some material change does not very soon take place, the time is not far distant when the whole rent will be absorbed in the Poor's Rate.'—*App. (B)* p. 245 c. q. 36. *Gillingham, Kent.*

'Diminishing; much land in the hands of proprietors wanting tenants. Our Poor's rate being high, makes farms in other parishes more desirable than this.'—*App. (B)* p. 255 c. q. 36. *Minster, Kent.*

'The heavy Poor Rates discourage people from undertaking the farms. The increased wages, too, which were extorted from the farmer, in many places have pressed upon him; and, as it is allowed that labourers paid partly by wages and partly by parish relief do not work near so well as those who work for wages only.'—*App. (B)* p. 264 c. q. 36. *Tonbridge, Kent.*

### *Extinction of Rent, and Abandonment of Cultivation.*

Besides the case of Cholesbury in Bucks, there are others that though not quite complete illustrations of the results of the system, present a striking similarity of feature. Sir Thomas Cotton Shepherd, in his answers to the queries states,—

'That in the parish of Thornborough, Bucks, there are at this time six hundred acres of land unoccupied, and the greater part of the other tenants have given notice of an intention to quit their farms, owing entirely to the increasing burdens of the Poor's Rate.'—*Appendix (C.)*

In his answers from Sherrington in the same county, the Rev. John Pretyman, Rector and Justice of the Peace, says,—

'In the neighbourhood of Aylesbury there were forty-two farms untenanted at Michaelmas last; most of these are still on the proprietor's hands; and on some no acts of husbandry have been done since, in order to avoid the payment of Poor's Rate. I attribute these circumstances principally to the operation of the 'Poor Laws.'—*App. (B.)* p. 43 c.

The following Evidence is to the same effect.—

'In the adjoining Parish, the owners of untenanted farms, who are not farmers, fear to occupy, and prefer the loss of rent to the unlimited expense in Poor Rate which would overwhelm the profits of one not perfectly experienced in farming, and the parochial concerns it involves.'—*App. (B.)* p. 30 c. q. 36. *Adstock, Bucks.*

‘In one Parish in this neighbourhood (in which I have the management of some landed property) I know the capital has materially diminished, in consequence of the defective administration of the Poor Laws, particularly by paying wages to surplus labourers without requiring them to perform adequate labour for the same, which has caused the land referred to, to be untenanted. Several adjoining parishes are equally mismanaged, and the property depreciated.’—*App. (B.) p. 39 c. q. 36. Leckhampstead, Bucks.*

‘Diminishing daily ; and the land going very fast out of cultivation in consequence of so very few labourers being employed upon the land, there being no Act to compel farmers to employ labourers in proportion to their occupation ; and if one man turns off his labourer, and he is paid from the rates, the others consider it a hardship to be forced to pay a proportion of that rate, caused by his neighbour’s refusing to employ his quota, and consequently half the labourers are supported wholly from the Parish Rate in idleness and midnight plunder.’—*App. (B.) p. 450 c. q. 36. Blything Hundred, Suffolk.*

At the opening of that portion of their Report which is devoted to a consideration of remedial measures, the Commissioners draw a distinction between the poor and the indigent. By the poor they understand that large section of the human race whose lot is to earn their subsistence by their labour. For the relief of these, a rational statesman would no more think of making an eleemosynary provision, than a sound natural philosopher would attempt to control the tides, or alter the elements of any of the planets orbits. By the indigent, they mean those who are unable to labour, or to obtain in return for their labour, the means of subsistence. These alone are within the province of the law.

The principle adopted by the Commissioners, as the basis of their remedial suggestions, may be thus briefly stated ; that the condition of the pauper shall in no case be made so eligible as that of the independent labourer of the lowest class. This principle rests on the fundamental laws of human nature. As might be expected, the evidence shows that where it has been acted upon, the result has been the dispauperising of the able-bodied, the reduction of the parochial expenditure, and the elevation of the condition of the independent labourer, by an increase not only of wages but of morality and self-respect.

The principle of legislation being established, the next question was to find out the means best fitted for carrying it into effect. And here the mode pursued by the Commissioners is one that must meet with the approbation even of the most violent of those who object to all change as partaking of the ‘wild’ and ‘theoretical.’ For they proceed on the principle that those modes of administering relief which have been tried

and found beneficial, shall be generally enforced. Now all the evidence shows, that any attempt to enforce the principle would be futile, as long as out-door relief was given. The avenues to fraud are so numerous under this system, that the law which should recommend the making the condition of the pauper inferior to that of the independent labourer, but should adopt this course as the means to that end, would be a dead letter. On the contrary, the evidence from different parts of the kingdom, and from towns as well as rural districts, shows that the end has been fully effected, by the establishment of well regulated workhouses; these moreover being, as the Commissioners observe, the only means by which the intention of the Statute of Elizabeth can be beneficially carried into effect.

The Report states, that one of the further effects of the above-mentioned principle of administering relief will be,—Supplying a self-acting test of the merit of claims. The compliance of the claimant with the terms on which relief is offered, proves the justice of the claim. In the language of the Report,—

‘Ill-informed persons, whose prepossessions as to the characters of paupers are at variance with the statements of witnesses practically engaged in the distribution of relief, commonly assume that those witnesses form their general conclusions from exceptions, and that their statements are made from some small proportion of cases of imposture; but wherever those statements have been put to a satisfactory test, it has appeared that they were greatly below the truth. The usual statements of the permanent overseers in towns, are, that more than one half or two-thirds of the cases of able-bodied paupers are cases of indolence or imposture, not of destitution arising from the inability to procure work; but it rarely appears that more than five or six in a hundred claimants sustain the test of relief given upon a correct principle.’—*Report*, p. 264. 8vo. edit.

The following extract from the examination of Mr. John Coste, relieving overseer of St. Leonard’s, Shoreditch, presents a vivid picture of what usually takes place when this test is applied. He had offered to take into the workhouse a troop of about fifty persons who demanded immediate relief;—

‘Myself and the beadle then went away, followed by the train of paupers, for on Saturday nights I find it necessary to take one or two beadies with me for personal security. The paupers used excessively bad language to us, and as they passed bye-streets on the road to the workhouse, they slunk away, until at the workhouse, I think, we had only ten or a dozen, who chose to come in and accept the bread, for the want of which they declared to the magistrate they were starving at the time they first applied for immediate relief.’—*App. (A) Mr. Chadwick’s Report*.

The Commissioners recommend ;—

‘I. That except as to medical attendance, and subject to the exception respecting apprenticeship hereinafter stated, all relief whatever to able-bodied labourers or to their families, otherwise than in well-regulated workhouses (*i. e.* places where they may be set to work according to the spirit and intention of the 43rd of Elizabeth) shall be declared unlawful, and shall cease, in manner and at periods hereafter specified ; and that all relief afforded in respect of children under the age of sixteen, shall be considered as afforded to their parents.’

Demagogues who ground their hopes of popularity and power upon appeals to the animal instincts, and on confounding and neutralising the reason of those whom they wish to lead, will probably attempt to raise some clamour and create some confusion of ideas on the subject of the above recommendation. They will perhaps endeavour to represent it as an attempt to treat the poor with undue severity, to make poverty a crime, and so forth. The confusion here may be easily explained. The fallacy belongs to that division of fallacies of confusion, which has obtained the name of fallacies of ambiguous expression. It consists in confounding, under the ambiguous term poor, those who not possessing a sufficient quantity of accumulated labour or capital to live on without labouring, (in which category are comprehended those who live by the labour of their heads, consequently all or a large proportion of the members of the professions called learned, as well as those who live by the labour of their hands), are willing to live by their labour, with those who, likewise not possessing capital to live on, are, though able, unwilling to labour, but desire to live on the labour of others. It is of the same nature with the fallacy which confounds the idea of robbing the rich, with that of preventing them from robbing the rest of the community, and which raises the shout of ‘robbery and spoliation’ when the community put forth their hands to protect their breeches pockets. In the case of unforeseen calamities to the deserving poor, there will still remain a remedy without having recourse to the workhouse, either by means of such institutions as savings’ banks and friendly societies, or in the voluntary and prompt assistance of richer neighbours, to whom the worth and unmerited misfortunes of the sufferers are adequately known. Such is the proper occasion for the exercise of charity, and such charity may truly be pronounced sufficient to cover a multitude of sins.

The next thing to be considered is how to carry into effect this principle. And simple as the principle undoubtedly

is, it appears from the evidence collected under this Commission, that it has found its way only into a very few parishes, and those often remote from and unconnected with each other. This will not be wondered at when it is considered, that the cases in which the principle was acted upon were produced 'by the circumstance of there being found within each of those parishes, an individual of remarkable firmness and ability, often joined with a strong interest in good administration, great influence to overcome opposition, and leisure to establish good arrangement.' To this consideration it is to be added, that where there is no common centre of union, where there are no facilities for mutual communication and assistance, 'good measures rarely excite imitation, and bad measures seldom yield warning.' Of the qualities essential to the person who can originate and maintain an improved system of Poor Law administration in a parish, or even put in execution a legislative enactment to that effect, the following extract from a communication made to the Poor Law Commissioners by Mr. Osler of Falmouth, a gentleman of great practical knowledge on the subject, contains a correct enumeration.

'The individual who can sustain this responsibility is no common character. He must be humane and kind, for he is the almoner of the public and the last refuge of the destitute, yet firm to resist the pleadings of humanity itself, when duty would be sacrificed by compliance. He must exercise the penetration that detects the false plea of the impostor and discovers the necessity of modest want. He must possess the judgment which, upon principle, adheres to a system, when, as far as the individual case is concerned, it might be economical to deviate from it, yet which discriminates the cases which justice as well as humanity would mark for exceptions. With an absolute command of temper, he must hold himself above all caprice, favouritism, or the insolence of authority. This combination of qualities will be met with only in minds gifted by nature, disciplined by education, and enriched by experience; yet when the duties of a parish officer are considered, it will be found that none of them can be sacrificed with impunity.'—*Appendix (C)* p. 172. \*

On comparing with this standard the average qualification of the present race of overseers, many of whom can scarcely write their names, and many more cannot keep accounts (as the Returns made to Parliament, as well as the replies to the queries of the Poor Law Commissioners printed in Appendix B of their Report bear witness), is it to be wondered at that the growing evils of the present system have not been extensively checked? Is it to be wondered at that even the chance of finding any check for them is looked upon as desperate,

when the adoption and continuance of an improved system is dependent on obtaining within every parish in the kingdom, an individual possessed of such qualifications as these; when in short it is dependent on a perpetual succession of upwards of fourteen thousand minds thus gifted by nature, thus disciplined by education, thus enriched by experience. The time may perhaps come when such a number of men so qualified, and so disposed to devote themselves for the cause of humanity, may be found in England. But the time is not yet.

One more element remains to be noticed;—intimidation on the part of the rate-receivers. The mode in which this operates, together, with the remedy thereby suggested for the whole of the existing evils, will best appear from the following passage in the Report.

‘Can a farmer at a vestry be expected to refuse relief, and endanger his own property and person to save funds to which he is only one of many contributors, when, in proportion to his belief that the applicant is undeserving, must be his conviction of the capability of that applicant to resort to any criminal means of obtaining compliance with his demands, or of gratifying his revenge? But the immediate distributors of relief, are not the only persons obnoxious to such motives. Mr. Villiers states, that a magistrate declared to him that in his neighbourhood if a gentleman living upon his own property were strictly to perform his duty in a large proportion of the cases where paupers appealed from their overseers, he would be in danger of having his property destroyed. Such dangers, it is to be observed, are generally incurred by refusals to increase allowances, which are *now* wholly illegal, and, therefore, to expect the voluntary execution of new and strict regulations by persons placed under such circumstances, appears unreasonable. Mr. Day, the magistrate at Maresfield, to whose communication we have before referred, in the following passage forcibly expresses opinions, which we have reason to believe are entertained by a numerous class.’

‘I must here guard against an impression that may be conveyed by these remarks, which might lead to a fatal disappointment. The workhouse system is at present legal, and funds for emigration may, in many instances, be raised by voluntary contributions. But were the plan, advocated by me, attempted to be put in execution at the mere instigation of an individual, or by a vote of vestry, it would probably induce an irritation that would lead to disastrous consequences. When in the parish of Mayfield it was rumoured that I intended interfering to reduce the rates, it was immediately suspected by the paupers that I was opposed to their interests. On the door of the first vestry I attended, I found affixed a notice, “that they intended washing their hands in my blood.” In 1826, a threat of that kind was readily disregarded; at present it would be consummated in a riot or fire. But if the alteration be the act of the legislature, it

assumes a different aspect. It comes with the sanction of the law, and however it may be murmured at, the odium is removed from the obnoxious vestryman, or the individual magistrate. The complaining pauper looks round to the adjacent parishes and the neighbouring benches. He sees his lot the lot of all; and is told that however he may meet with sympathy, there is no power of redress. He may hope to intimidate a vestry, but he cannot dare to oppose a government."—*Appendix (C.)* p. 152.

'We believe however that general regulations made under the immediate control of the executive, would meet with comparatively ready obedience; not from fear or despair of the success of resistance, but from confidence in the disinterestedness of the source from which the regulations emanated. We are happy in having found no distrust of the Government amongst the labouring classes in the pauperized districts: we rather apprehend that they entertain extravagant expectations of what can be accomplished by legislative interference. In the instructive letters from emigrants of the labouring classes to their friends in England, we see few traces of discontent with the political institutions, or the general government of their former country; few expressions of satisfaction that they now live under other institutions; but we do find in those letters, felicitations that they are no longer under local control or parochial management; "Here" say the labourers, in speaking of their new abodes, "there are no overseers to tread us under foot." Wherever in the course of this inquiry it has been deemed requisite to communicate directly with the labouring classes, the Commission appears to have been regarded with entire confidence. Our written communications from labouring men on the subject of the labour-rate are abundant; our Assistant Commissioners found their inquiries answered with alacrity by all the labourers who were examined. Under the conception that the Commissioners were invested with extraordinary powers, the labourers have appealed to us for interference against local malversations. One of the Sussex labourers was asked in the course of his examination;—

"What alterations of the Poor Laws are talked about by the labourers?—They have hopes that Government will take it in hand, as they would then be contented with what was allotted to them; they would be sure that they would have what was right, and would not be driven about by the overseers."

"Are you sure that the labourers would be pleased to see the overseers deprived of their power?—Yes, that they would, for they often fail, and take the parishes in; and besides, all parish business now goes by favour. Many people do now say that they talk about reform in the Government, but there wants reform in the parish."

"Suppose that the workmen were deprived of the allowance in aid of wages, but deprived in such numbers that the farmers would be compelled to pay wages to the same amount, how do you think such a measure would be received by the workmen?—That would give a great deal more content, and I am sure that they would do the farmer more work. The parish money is now chucked to us like as to a dog."—*App. (A.)*



The Commissioners here give numerous extracts from their Appendix, the tenor of all which is a strong recommendation that the legislature should divest the local authorities of all discretionary power in the administration of relief.

‘ The course of proceeding which we recommend for adoption, is in principle that which the legislature adopted for the management of the savings banks, the friendly societies and the annuity societies throughout the country. Having prescribed the outline and general principles on which those institutions should be conducted, a special agency (which in this instance was constituted by one barrister only) was appointed to see that the rules and detailed regulations under which they are governed conform to the intention of the law. This agency we believe has accomplished the object effectually. From magistrates and clergymen, who act as trustees and managers of savings banks, we have learned, that it is found to work satisfactorily to them and to the members at large, because they are aware that the decision by which any regulation is established or disallowed is made on the most extended information derived from all similar institutions throughout the kingdom, instead of being made only on such experience and information as the neighbourhood might chance to afford. We believe that the control has also been found beneficial by the members of friendly societies, and has put a stop to many societies which were founded either ignorantly or dishonestly on principles fraught with ruin to the contributors. Since the adoption of this measure, there has been only one appeal against the barrister’s decision, and that appeal was disallowed.’

‘ II. We recommend, therefore, the appointment of a Central Board to control the administration of the Poor Laws, with such Assistant Commissioners as may be found requisite ; and that the Commissioners be empowered and directed to frame and enforce regulations for the government of workhouses, and as to the nature and amount of the relief to be given, and the labour to be exacted in them, and that such regulations shall, as far as may be practicable, be uniform throughout the country.’

‘ We have already submitted, as the only relief comprehended within the preceding description, relief in a well-regulated workhouse, to the exclusion of all partial relief, and particularly of all money payments. It appears to us that these prohibitions should come into universal operation at the end of two years, and as respects new applicants, at an earlier period, and that the Board should have power, after due inquiry and arrangements, to shorten these periods in any district : one of their first proceedings should probably be the gradual substitution of relief in kind for relief in money.’

The Report then considers by what means such workhouses can be provided.

‘ The first difficulty arises from the small population of a large proportion of the parishes. Of the 15,535 parishes (including under that name townships maintaining their own poor) of England and Wales,

there are 737 in which the population does not exceed 50 persons, 1,907 in which it does not exceed 100, and 6,681 in which it does not exceed 300. Few of such parishes could support a workhouse, though they may have a poorhouse, a miserable abode, occupied rent free by three or four dissolute families, mutually corrupting each other. Even the parishes which are somewhat more populous, those containing from 300 to 800 inhabitants, and which amount to 5,353, in the few cases in which they possess an efficient management, obtain it at a disproportionate expense.

‘ In such parishes, when overburthened with poor, we usually find the building called a workhouse occupied by sixty or eighty paupers, made up of a dozen or more neglected children (under the care, perhaps, of a pauper), about twenty or thirty able-bodied adult paupers of both sexes, and probably an equal number of aged and impotent persons, proper objects of relief. Amidst these the mothers of bastard children and prostitutes live without shame, and associate freely with the youth, who have also the examples and conversation of the frequent inmates of the county gaol, the poacher, the vagrant, the decayed beggar, and other characters of the worst description. To these may often be added a solitary blind person, one or two idiots, and not unfrequently are heard, from amongst the rest, the incessant ravings of some neglected lunatic. In these common receptacles the sick poor are often immured.’—*Report*, p. 303. 8vo. Ed.

It is necessary not to confound with such places as these the workhouses recommended by the Commissioners. The workhouses recommended might become to the improvident and the idle, schools of salutary discipline in which they might have at least a chance of learning better habits,—habits of regularity, of temperance, and industry. To those who have been reduced to enter their precincts by no fault of their own,—by no vice, by no improvidence; to the aged widow and the orphan child who may be compelled by fate and necessity to seek the shelter of their walls, they might become under proper provisions a respectable and even an honourable refuge. It is especially desirable that the minds of the children should be not only untainted by the poison of bad example, but also kept free from the sense of eleemosynary degradation. It has been observed that a childhood passed under a feeling of thralldom, wretchedness, and degradation, is apt to produce a wild and reckless youth, and an unhappy and unprincipled manhood. If this be the case, it especially concerns a country that as small a number as possible of its citizens should pass through such a childhood and such a youth.

‘ By assigning one class of paupers to each of the houses comprehended in an incorporation, a greater number of persons might be received within each house. In small districts there are considerable fluctuations of the numbers of persons in each class; in the workhouse

of a single parish the rooms appropriated for the reception of the sick must often be empty ; in a house for the reception of the sick from a number of parishes, the absence of patients from one parish would be met by an influx from another, and a more steady average number maintained, and so with the other classes of inmates. The rooms left empty by these fluctuations or reserved for emergencies under the existing management, cannot without great inconvenience be immediately appropriated to the use of the redundant class. If any rooms on the female side of the house be left unoccupied, they cannot be readily appropriated to the use of an extra number of male paupers. The witness last cited states ;—

“ In Lambeth, under the present arrangement, 800 is as great a number as we can reasonably calculate upon accommodating ; whereas if the whole workhouse was appropriated to the reception of only one class of persons, from 900 to 1,000 might be fairly accommodated. If you add to this the room that would be obtained by the discharge of those of the present inmates who would not submit to the restraint of strict workhouse regulations, I think ample accommodation might be made for all those who would avail themselves of the workhouse dietary and accommodation, when their money allowance was discontinued.”

‘ Although such is the tenor of the evidence from witnesses conversant with many districts, yet we cannot state that there may not be some districts where new workhouses would be found requisite, but we have no doubt that where this does occur, the erection of appropriate edifices though apparently expensive would ultimately be found economical. Under a system of district management the workhouses might be supplied under one contract at wholesale prices. It is found that within certain limits the cost of maintenance per head decreases as the numbers increase. Mr. Mott states, that if 500 persons cost 10*l.* per head, or 5,000*l.* ; 1,000 persons would cost only 9*l.* per head, or 9,000*l.* He also states, that there would be no more difficulty in managing five or six combined workhouses than five or six separate wards or rooms in one house. Considerable economy would also be practicable in combined workhouses, by varying the nature of the supplies. In the smaller workhouses the children receive nearly the same diet as the adults ; if they were separated they might receive a diet both cheaper and more wholesome.’

The opinion in favour of incorporation for workhouse purposes, is based on the following facts.

‘ Of all England,—

- ‘ The 100 absolutely largest parishes, containing a population of 3,196,064, give 6*s.* 7*d.* per head.
- ‘ The 100 intermediate parishes, containing a population of 19,841, give 15*s.* per head.
- ‘ The 100 least parishes, from which Poor Rates Returns are made, with a population of 1,708, give 1*l.* 11*s.* 11½*d.* per head.
- ‘ The 100 intermediate parishes are of the size of which there is the

greatest number, and where the population is not too large to allow the parish officers to obtain a personal knowledge of the individuals relieved.'

'III. To effect these purposes we recommend that the Central Board be empowered to cause any number of parishes which they may think convenient to be incorporated for the purpose of workhouse management, and for providing new workhouses where necessary, to declare their workhouses to be the common workhouses of the incorporated district, and to assign to those workhouses separate classes of poor, though composed of the poor of distinct parishes, each distinct parish paying to the support of the permanent workhouse establishment, in proportion to the average amount of the expense incurred for the relief of its poor, for the three previous years, and paying separately for the food and clothing of its own paupers.'

'IV. Recommend, that the Central Board be empowered and required to take measures for the general adoption of a complete, clear, and, as far as may be practicable, uniform system of accounts.'

'V. Recommend, that the Central Board be empowered to incorporate parishes for the purpose of appointing and paying permanent officers, and for the execution of works of public labour.'

'VI. Recommend, that the Central Board be directed to state the general qualifications which shall be necessary to candidates for paid offices connected with the relief of the poor, to recommend to parishes and incorporations proper persons to act as paid officers, and to remove any paid officers whom they shall think unfit for their situations.'

'VII. That the Central Board be empowered to direct the parochial consumption to be supplied by tender and contract, and to provide that the competition be perfectly free.'

'VIII. That the Central Board be empowered and required to act in cases of embezzlement, as public prosecutors.'

'IX. That under regulations to be framed by the Central Board, parishes be empowered to treat any relief afforded to the able-bodied, or to their families, and any expenditure in the workhouses, or otherwise incurred on their account, as a loan, and recoverable not only by the means given by the 29th section of the 59 Geo. III, c. 12, but also by attachment of their subsequent wages, in a mode resembling that pointed out in the 30th, 31st, and 32nd sections of that Act.'

'X. That the Central Board be empowered to make such regulations as they shall think fit respecting the relief to be afforded by apprenticing children, and that at a future period, when the effect of the proposed alterations shall have been seen, the Central Board be required to make a special inquiry into the operation of the laws respecting the apprenticing children at the expense of parishes, and into the operation of the regulations in that respect which the Board shall have enforced.'

‘XI. We recommend that the Central Board be empowered and directed to frame and enforce regulations as to the relief to be afforded to vagrants and discharged prisoners.’

‘XII. We recommend that the Board be required to submit a Report annually, to one of your Majesty’s Principal Secretaries of State, containing—1. An Account of their Proceedings; 2. Any further amendments which they may think it advisable to suggest; 3. The Evidence on which the suggestions are founded; 4. Bills carrying those amendments (if any) into effect, which Bills the Board shall be empowered to prepare with professional assistance.’

‘XIII. We recommend that the Central Board be empowered to appoint and remove their Assistants and all their subordinate officers.’

‘XIV. We recommend that settling by hiring and service, apprenticeship, purchasing or renting a tenement, estate, paying rates, or serving an office, be abolished.’

‘XV. We recommend that (subject to the obvious exceptions of persons born in prisons, hospitals, and workhouses) the settlement of every legitimate child born after the passing of the intended Act, follow that of the parents or surviving parent of such child, until such child shall attain the age of sixteen years, or the death of its surviving parent; and that at the age of sixteen, or on the death of its surviving parent, such child shall be considered settled in the place in which it was born.’

‘XVI. We recommend that whenever there shall be any question regarding the settlement by birth\* of a person, whether legitimate or illegitimate, and whether born before or after the passing of the intended Act, the place where such person shall have been first known by the evidence of such person, by the register of his or her birth or baptism or otherwise, to have existed, shall be presumed to have been the place of his or her birth, until the contrary shall be proved.’

‘XVII. In the natural state of things, a child, until emancipated, depends on its parents. Their legal domicile, or, as it is technically called, place of settlement, is also the settlement of their offspring. And such is the existing law with respect to legitimate children. Only one of the parents of an illegitimate child can be ascertained. We recommend that the general rule shall be followed, as far as it is possible, and that every illegitimate child born after the passing of the Act, shall, until it attain the age of sixteen, follow its mother’s settlement. The immediate effect will be, to prevent a great amount of waste, suffering and demoralization. At present an unmarried pregnant female, though asking for no relief, is hunted from parish to parish, her feelings deadened by exposure, and her means of supporting herself and her child destroyed, and all this evil is incurred merely to save expense to the parish in which she is resident, at the much greater expense of the parish to which she is removed. We feel confident that if the woman were allowed to remain unmolested

until she asked relief, she would, in many cases, by her own exertions, and the assistance of her friends, succeed in maintaining herself and her infant; but, as the law now stands, she has not power and inducement to do this. If she is settled in the parish in which her pregnancy took place, she has no inducement. The parish offers her a pension, generally equalling, often exceeding, her incumbrance, to be obtained without any additional disgrace. If she is unsettled, she has no power. However willing or anxious she may be to toil for her own and her child's subsistence, rather than to be dragged in shame to the scene of her youth, she is not allowed the choice. The officers know, that if the child is born in their parish, they are responsible for its support throughout life, and for the support of its posterity. The consequences which her removal will produce to the child, to the mother, and to her parish, are no concern of theirs. They remove her as a matter of course.'

'XVIII. As a further step towards the natural state of things, we recommend that the mother of an illegitimate child born after the passing of the Act, be required to support it, and that any relief occasioned by the wants of the child be considered relief afforded to the parent. This is now the law with respect to a widow; and an unmarried mother has voluntarily put herself into the situation of a widow: she has voluntarily become a mother, without procuring to herself and her child the assistance of a husband and a father. There can be no reason for giving to vice privileges which we deny to misfortune.'

'XIX. We recommend that the same liability be extended to her husband. The general law of the country throws on the husband all his wife's liabilities; he is bound to pay her debts, he is answerable for her engagements, even though he may not have been aware of them, though they may have been carefully concealed from him; and there seems no reason which this peculiar liability, a liability which must almost always be notorious to him, should be excepted. We certainly consider it no objection that this will make it more difficult for a woman who has misconducted herself to obtain a husband; and we must add, that if this plan be not adopted, it will be difficult to follow out the system of giving no relief to the child independently of the mother, and of giving that relief in the workhouse.'

'XX. On the other hand, we recommend the repeal of that part of the 35 Geo. III. c. 101, s. 6, which makes an unmarried pregnant woman removable, and the 50 Geo. III. c. 51, s. 2, which authorizes the committal of the mother of a chargeable bastard to the House of Correction. The first of these enactments will cease to be applicable as soon as the child follows the mother's settlement. The second appears, by the evidence, to produce on the whole much more harm than good, and we object to them both as unnecessary interferences. If our previous recommendations are adopted, a bastard will be, what Providence appears to have ordained that it should be, a burthen on its mother, and, where she cannot maintain it, on her parents. The

shame of the offence will not be destroyed by its being the means of income and marriage, and we trust that as soon as it has become both burthensome and disgraceful, it will become as rare as it is among those classes in this country who are above parish relief, or as it is among all classes in Ireland. If we are right in believing the penalties inflicted by nature to be sufficient, it is needless to urge further objections to any legal punishment. We may add, however, that the effect of any such punishment would probably be mischievous, not only by imposing unnecessary suffering on the offender, but by making her an object of sympathy.'

'XXI. We recommend that the second section of the 18 Eliz. cap. 3., and all other acts which punish or charge the putative father of a bastard, shall, as to all bastards born after the passing of the intended Act, be repealed.'

The present state of the Administration of the Poor Laws does not allow it to be known with any degree of exactness what the demand for labour would be under more favourable circumstances. One of the most gratifying results of the reform that has in a few places been effected has been, 'that the dispauperized labourers have found employment to a greater extent than the most sanguine friend of the change could have anticipated in the parishes where they were previously relieved as paupers.' The Commissioners however are of opinion, that emigration could be made available to facilitate the application of the remedies which they have suggested.

'XXII. We recommend, therefore, that the vestry of each parish be empowered to order the payment, out of the rates raised for the relief of the poor, of the expenses of the emigration of any persons having settlements within such parish, who may be willing to emigrate; provided, that the expense of each emigration be raised and paid, within a period to be mentioned in the Act. We think it also would be expedient to adopt the measures for facilitating and regulating emigration contained in the Bill introduced into the House of Commons in 1831, and to be found, (as amended by a Committee,) in the Parliamentary Papers of that Session, (No. 358.)'

Towards the close of their Report, the Commissioners make a few remarks on the subject of Education. One great recommendation, they say, of any measure which shall remove or diminish the evils of the present system of Poor Laws, is, that it will in the same degree remove the obstacles which now impede the progress of instruction and intercept its results; and will afford a freer scope to the operation of every instrument which may be employed, for elevating the intellectual and moral condition of the poorer classes.

ART. XIV.—1. *Motion of James Silk Buckingham, Esq. M.P. on Impressment for the Navy.* March 4, 1834.

2. *Motion of Major Charles St. John Fancourt, M.P. on Flogging in the Army.* March 14, 1834.

THE lesson to be daily and hourly inculcated on the numerous classes of the community, is that what are called the higher classes, on all and every temptation, do them the least good that is possible and the greatest harm that they can. It is not that they often do them evil gratuitously, or to use a popular expression, for the mere fun of the thing; for the occasions on which the sufferers have taken their defence into their own hands, have sometimes had too serious conclusions, not to leave an impression that the bear is as well let alone when there is no absolute desire for his skin. But let anything be to be got for the ruling orders, their kin, clan, tail, or posterity,—let there be any ease, comfort, shirking, evasion of trouble, or procurement of satisfaction to any of these in the smallest degree concerned,—and the rights, happiness, *feelings*,—the word is put there to be mocked at,—of the numerous orders of mankind, are of precisely as much weight in the scale, as the tender passions of the negroes were to their owners in the West Indies. In fact this is what creates both the necessity for a free government, and the difference between it and any other. A free government is one where the working men and women are able to prevent their aristocracy from whipping them or their offspring; where a man can walk this way or that way at discretion, and follow his calling without having it announced to him that it is the pleasure of his betters that he should be taken away to do their work for less than it will be done for in the market; where the owner of strong limbs and tough sinews can not only be fat and sleek by grinding in other people's mill of slavery, but can also be fat and sleek without it if he pleases, or even be less fat and sleek, if he happens to have a maggot in his head that prefers the leaner liberty. The people of England cannot do this; and therefore it would be a mockery to call them free.

At this moment the ancient tyranny under which the people of England have suffered, is undeniably in a course of diminution. But it is simply because the power of the people has got the upper hand, and not from the slightest savour of virtue in the generality of their rulers. They differ from the old ones, principally in being somewhat longer-headed. They calculate better the maximum of evil which it is possible to maintain; and of course they finally maintain a greater quantity of evil than



their rivals would have succeeded in. Nevertheless it is true upon the whole, that evil is coming down; and at a less expense of suffering in return, than would have happened in the other way. But the point to be aimed at, is to prevent the people from resting in any confidence in the immediate organs of the change; to point out to them how certainly they must and will stop at an enormous height of mischief, if they leave the matter to the unalloyed discretion of their actual rulers; and how absolutely and immoveably necessary it is, that they should forget every thing that is behind, looking forward only to what is before, and so press onward to the mark of something like a decent influence of the numerous classes upon their government, which shall at least suffice to protect them from gross personal insult and injury. The French revolution took place, because a common Frenchman could not prevent his being trampled on by the *noblesse*. A revolution of the same kind will not take place in England, because the common people have strength enough and friends enough, to bring their betters to reason without it.

See now what the organ of the high church party says to you upon the subject of running you down like felons to save your governors from paying you fair wages. Remember these are the men of the pulpit; it is for this they tell you to pay tithes, and invite you to send your children to learn their catechism. If you would take their counsel for the path to heaven hereafter, buy a pious book from Messrs. Roake and Varty, highly respectable salesmen and efficient instruments in their way, which is in the middle of the Strand. If you would find your road to hell on earth, Messrs. Roake and Varty are equally furnished with tracts in favour of 'Impressment and Corporal punishment.' It is an odd mixture of the surplice and the cat-of-nine-tails, the priest and the press-gang, holy church and earthly tyranny, whipped backs and confirmation, man-stealing and the litany, tender mercies and the tender off the Tower stairs, hand-cuffs and 'Good Lord deliver us.'

'It is, of course, one of the popular "cants," because the custom is one of long usage, and essentially necessary to the safety of the kingdom, to talk of the barbarity of pressing. But, in fact, it is absolute nonsense—it is the name of the thing—like the rigmorale trash about slavery; a man is pressed—to do what? To put himself into a position of positive comfort, with clothing and pay, plenty to eat and drink, and a snug bed to lie down in at night.'

'To be a desirable object for impressment the man must have been at sea before—nay, the present regulation is to compel every ship-owner to keep a house of call for the press-gang. Surely, to a man

used to the dirty, filthy, smoky, greasy, disorderly, sheep-smeared, goat-dirtied, pitch-plastered, tar-smothered decks and galleys, and cabooses, and round-houses of a heavy-going slug of a merchantman, the very prospect of the smart, sharp, square-yarded, taunt-masted hooker, with her snowy-white holy-stoned decks, her jetty blocks with their shining sheaves, her bright belaying-pins, her glittering staunchcons, and, above all, her towering pennant, and her nobly waving ensign, must be a sort of heaven, if not [on] earth, at least upon the waters. What! is it a punishment for a man to escape from a frowsty red frock and tar-stained trousers, into a pair of jolly pipe-clays and a smart Guernsey shirt, with the name of his craft beautifully seamed across his gallant breast—absurd! His glazed hat glittering in the sun, with a lovely copy of his favourite figure-head painted in all its proper colours;—is it a cruelty to a man to take him from smoke and smother—the duty of fifty men divided perhaps amongst eight, in doing which he has a chance of getting flogged by a Newcastle clod, or a Limehouse vagabond, for forgetting to bring a pound of mutton-chops on board the *Climsey* for dinner, or for upsetting a pot of lobs-kous in the fire-place of the caboose? We repeat it—the thing is all absurdity—mob-catching, popularity-hunting, beneath a Government. Why not negative Mr. BUCKINGHAM's motion at a blow?—Why tamper or temporise with such a question?—and why, of all men, Sir JAMES GRAHAM, who knows his colleagues, and has given us his open, fair, and honourable opinion of them?

'But let us for a moment consider in detail what the evils are to which the drudge of the merchantman is exposed by impressment—a poor fellow, perhaps, who has been for twenty years doomed to lend his hand to bring Lord DUNHAM's coals to market. Mercy on us! what an occupation. Why this man is impressed, and forced into this.'

'A home—a comfortable bed—clothes at a price the most reasonable—soap and tobacco—all of which he may purchase, and, as can be proved, lay by, ten pounds at the end of the year, exclusive of what the fortune of war may give him as prize-money.'

'He has provisions in abundance—nay, he has the very same provisions, in quantity and quality, as the Captain commanding his ship, or the Admiral commanding the fleet—he has as much spirits as any man ashore or afloat ought to drink, and if he prefers it, on many stations—we believe on all—a pint of wine in lieu of them.'

'If he is ill, he has the best medical advice at hand, gratis—medicine for his restoration gratis—every attention and consideration paid to him in illness—every care taken to ensure his recovery. Pressed or not pressed, he has two months wages advanced him, when his ship is fitted, in order to enable him to supply himself with any little extra comforts; that when he is abroad, he can receive a certain portion of his pay for present use, limited only by a consideration for his ultimate good, which precaution is absolutely necessary with noble

hearts and liberal minds, such as the KING's men-of-war's-men are known almost universally to possess.'

'But, more than this, the common sailors—as the poor, dirty cockney sweepers, and patriots, and scavengers, and orators, call these brave fellows—the men-of-war's-men, can allot a portion of their pay for the support of their wives or families, or relations, which sum is paid to them monthly, without charge. *This, their officers cannot do.*'

'The man-of-war's-man can write to his home, to his family, his sweetheart, or his friend, let him be where he may, upholding the honour of our flag in the remotest corner of the world, for the charge of one penny.'

'Moreover, when his ship is paid, which it must be every year, he can send all, or part of his pay to any place in Great Britain or Ireland, at the risk of Government, for the use of his family, or he may receive it where he pleases, himself.'

'To those men-of-war's-men, who distinguish themselves by their good conduct, their gallantry—and it is hard to make distinctions there—appointments to be petty officers are open. Many a man now walks the quarter-deck, with his shining epaulettes on his shoulders, and glittering orders on his breast, who began before the mast—nay, there are more flags than one flying, and ready to fly, at the word of command, that belong to men who were at their outset what these cockney lubbers call "common sailors." That they were *not* common sailors, their present station proves.'

'After this, let it be considered that a man-of-war's-man, after a certain number of years, has his pension, if he shew that he has not forfeited his claim to it by misconduct. Recollect, that if he be wounded, or if he live—as thousands of them do—to a good old age, Greenwich Hospital, that noblest of noble institutions, is open to receive him; but that is not all, his boys and girls are eligible to the schools at Greenwich, and that while he is sitting on his bench, under the shades of that magnificent building, chewing his quid, and fighting his battles over again, he may see his fond and favourite children enjoying their recreations from study, as happy—aye, happier, perhaps, than the richest and noblest in the land.'

'Talk of impressment—of the necessity of change—of a Bill of Registration—of Mr. BUCKINGHAM's philanthropy, and Sir JAMES GRAHAM's long consideration—we say again, stuff—pull the truth out of the husk of humbug, and see what it is. The people of SHEFFIELD, who sit with their noses at the grind-stone from morning till night making razors and scissors, and fire tongs and hearth shovels, have an undefined notion of the horrors of the sea. This, coupled with their admiration for Mr. BUCKINGHAM as an advocate for the *liberty of the Press*—which they have confused somehow with the *tyranny of the Press-gang*—have set the grinders in a flame, and it is quite right that Mr. BUCKINGHAM should, as Mr. HAMILTON says, "*go the whole Hog.*" But for a serious discussion, or meeting his motion for a Committee, with a Bill embodying part of his scheme, it is only another proof of the weakness of our wretched Government.'

' Sir JAMES GRAHAM certainly went farther—at least as the reports say—than he need have done, in praising the good intentions of his colleagues ; why, if, as he said, he believed that they *never did* anything without conscientiously meaning well, why did he so gallantly, so honourably, and so properly denounce them in the affair of BARON SMITH, and vote against them *because he had a regard for his own honour and character* ? Rely upon it, the GRAHAM is much too good to remain with them after Easter ; but in the mean time we trust that the House of Commons—which is now like the performers in a Dutch concert, where every man plays his own tune—will, in spite of patriotism, philanthropy, Tom-foolery, and Mr. BUCKINGHAM, reject any Bill to alter that, which is admitted to be absolutely necessary for the safety of the country, and for which the substitution of a registry of men whose vocations necessarily scatter them over the whole face of the earth, could in no degree whatever compensate.\*—*John Bull*. March 9, 1834.

See what undisguised and open slave-trade is driven in your bones and muscles,—not modified or mystified, but put forward under the avowal that opposition to it is to be met with the same contempt as the opposition to negro slavery. They are a set of poor *niggers*, the common English, after all their bullying ; that will allow themselves tamely to have personal slavery thrust down their proper throats, and defended by appeals to the unreasonableness of resisting it in the West Indies. Look at the sort of argument thrown to you in your kennel ; and compare it, for instance, to the argument that might have been brought forward by the predecessors of these very men, when they claimed and exercised, which is not so long since either, the *droit de seigneur*,—perhaps you have not the tongues,—the right of sleeping for three nights with your wives. *There* would be 'rigmarole trash' for you, if you grumbled. 'A woman is pressed—to do what ? To put herself in a situation of positive comfort, with clothing and pay, plenty to eat and drink, a much better bed than she has been used to, and an agreeable gentleman of the landed interest to keep her company. What ! is it a punishment for a country woman to be taken from a smoky house, and dressed up like a squire's lady, and put to bed like any heiress in the land ? Is it a cruelty to take her from a village lout, fuming of ale and tobacco, and put her in the landlord's snug apartment, warmed with stean, and himself smelling of Bond Street and scented all over with the best lavender-water—absurd ! The thing is all mob-catching,

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\* ' For further information on the point, *vide* a pamphlet published by Roake and Varty, on *Impressment and Corporal Punishment*. '—Note in original.

popularity-hunting, there are men that make a trade of going about to interfere with the comforts of the aristocracy. Remember too the gifts, the pay, the beautiful shining gold piece in the pocket, which she may be sure to calculate on at quitting if she has behaved well. The best medical advice too at hand, if there should ever be occasion, gratis,—every attention and consideration that the housekeeper's room can afford in the way of chicken broth. Talk of impressment—of the necessity of change—of a Bill of Registration—of Mr. Buckingham's philanthropy—we say again, stuff—pull the truth out of the husk of humbug, and see what it is.'

Now this, hard-working and enduring poor people of England, is as good in every way as the declared and avowed tyranny thrust upon you in the other matter. There is but one petty objection in either case; *You do not like it*. If the thing be as good as they tell you, what need to force people into it. It is because it is *not* as good, that your enemies go about to cheat you into acquiescence in their using force. You see your men. On the one side negro-drivers, backing themselves on the established church, supporting their treatment of you undisguisedly upon the propriety of doing the same in the West Indies; on the other side a ministry, halting between their fear of retribution, and the desire to do wrong.

A Yorkshire Mrs. Partington, on being waked by her house on fire, laid hold of the chamber utensil and rushed out exclaiming, "I've sav'd some'at." The object of the Whigs is always to save a "some'at." There is perpetually some vessel to dishonour,—some cracked potsherd without a handle, and tied together with two turns of most filthy packthread beneath the remnants of a rim,—that they set their hearts upon to rescue from the peril of Reform. In the present instance they formed a salutary judgment of the impossibility of preserving the total evil. But they saw a chance of preserving an abstract hold on the opinion that it is, was, or may happen to be the law; with a further hope of shelter under the title of its being the King's prerogative; and they jumped at the possibility. It would be a great thing, in such a wreck of mischief as has or may take place, to save some rag or remnant of a brutal practice. As if men could not find out, that if it is the law, men go to parliament to alter it; and if it is the King's prerogative, it is one of those things which ought as speedily as possible to add another item to the list of conquests of a civilized nation over feudal barbarity. A little while ago, we were *all* slaves; the Whigs must not be allowed to chuckle under the idea, that they have carried off in a bag the palladium of slavery for water-borne businesses.

Exactly similar has been their conduct on military and naval flogging. The question at issue was, whether the aristocracy should preserve the right of flogging the *demos*. The subject has at last come forward from the proper quarter, the officers of the army; who take the liberty to think scantily of the soldiership of the men that cannot keep their troops in order without the liberty of blood. The really useful officer knows, that military flogging has among others this great objection, that it fails before the enemy; and there being no habitual discipline independent of it, the results are those scenes of horror and indiscipline which have disgraced the British army to a greater extent than any other under the sun. What is your oat-of-nine-tails man, in a battle or a storm? The mischief of the flogging system, is that it fails where discipline is most wanted. The invariable cry is, 'you cannot be flogging men before the enemy;' which is true enough,—but sensible men would not entrust discipline to a punishment which thus fails where discipline is most required. If it is asked what punishment should be substituted in like circumstances;—put the criminal into the travelling prison of a pair of handcuffs, and march him so for an assigned number of days in rear of the regiment; blood is not cleaner, nor in any one way more economical. If *that* will not tame a reprobate and hinder others, whipping will not. The confining soldiers in civil gaols, was a mere invention of the enemy, to hold in check officers opposed to the punishment of flogging. 'You would not degrade the individual and the army,'—was the plea provided for every tough old president of a court-martial, who loves the smack of the whip in defiance of smooth-faced subalterns from the universities. The question was boldly brought forward in parliament by Major Fancourt, as fine a young aristocrat as steps, and twelve years ago the veriest image of Don Juan that ever joined a regiment of Indian dragoons. Men are not always to be taken by their looks; there is good blood and true heart under the tufted chin; and many a gallant has the genuine spirit of leadership in him, that never harmed mother's son out of the field of fair fight. There is perhaps no profession into which the improvement of the age has made such deep inroads, as into the military and naval. But there is reason to fear that the old 'fogies' will have their way, till they see some symptoms of its being dangerous. A people are always whipped, till they chuse to intimate they wish it was left off. The sailors to this day talk with triumph of the mutiny at the Nore, as having put an end to what seems to have been peculiarly unpleasant to the 'sons of the waves,' the being ordered by a midshipman to go up

to a cask, that he the midshipman might stand upon it to kick them. The old blood-letters will never be brought to reason, till something like a hint, a distant one, what a tailor calls a *leetle*, is given them that the thing may be dangerous. For 'information' only, it would be curious to know what would be the consequence, if an officer ordered to preside at one of these brutal exhibitions, should take into his head to say to the men, 'If *you* are fools enough to stay to see this, I am not.' The writer knows a man, who was as near saying it to a battalion, as makes the difference between snapping and not snapping; but Minerva pulled him by the ear. Had there been one spice more of devil in his composition, or one other shake at that moment to the recipient of his bile, the words would have been out. Is it not better to mend things in time, than take such chances? The Whigs however will hold out to the last; it is their nature. When evil is to be wrought, it is always in its favour that it should be done abroad, and *there* they will try to keep up the power of the whip. In the meantime, whatever may become of the soldiers, the sailors are strongly recommended to try the question. It often happens that personal liberty cannot be defended without fighting; there is nothing new in it. The Whigs know perfectly well, that men who have destroyed life in self-defence upon this question, have been acquitted by the law; so that even as the law is, the ground is good. Above all things, let not the sailors encourage the stupid fraud that would compare the proposed registration to *balloting for the militia*. If the registration was for the *sea-fencibles*, the public might admit the analogy. But as a mere question of profit and loss, why should the sailors, and why should the merchants that employ them, submit to the obscure tyranny of a few bad men in office, eaters of their own professions, and the forlorn hope of expiring misrule? Would it not be wiser, to join with the other masses of the community, that are endeavouring to know their just interests and learn to enforce them?

ART. XV.—*Report from the Select Committee on Public Walks.* Parl. Papers, 1833.

**WHAT** is a government? What at least, has it almost always been? It has been a power to keep down the million for the benefit, real or fancied, of the few; to punish offenders, not against those universal and eternal laws which spring directly from a common nature, and the truth and

value of which are therefore acknowledged by all men as soon as the intellect perceives them,—but against thousands of laws, so styled, that have originated neither in the sense of justice nor the desire to effect the general good of the community on which they were imposed, but altogether in the selfish grasplings of the law-makers; in their wish to serve a party at the expense of perhaps a nation; in their pride, their ignorance, •their obstinacy, or their superstition. Could the motives that have given existence to our own innumerable laws be fully laid open, how many would be found of this pernicious nature.

It is the natural and unquestionable right of every human being to buy and sell in that way which may be the most to his own advantage; yet how many laws have been passed that inflict heavy, sometimes ruinous punishment, on him who exercises that right. What are our Corn Laws, our laws of Excise and Customs? Are they founded on the principles of universal justice? But it will perhaps be said, 'they are still in harmony with justice; they do indeed violate the rights of men as individuals, but they are operative to the security and happiness of those very men as members of a state.' This reply is a sheer *petitio principii*. 'It is through the means furnished by these seemingly unjust restrictions upon commerce, these customs, these taxes,' say the tax-receivers and the corn-monopolists, 'that our government is supported, that our national glory is maintained, that our splendid victories have been won; therefore it is most just that every man should forego his natural rights as an individual, should submit to restrictions upon his commerce and to taxation upon his purse, to such extent as may be required for the obtainment of these great advantages to the state of which he is a member.' To this the reasonable tax-payer replies, that he knows well enough the necessity for sinking the individual in the confederate, but that he neither knows nor can admit the abstract necessity for a most costly government, for the air-bubble termed national glory, or the murder upon scientific principles called war; and therefore cannot admit the justice of his being taxed and restricted for the sake of these, unless it can be proved to him that they were or are the important benefits which the tax-receiver declares, and the tax-payer denies.

The chief object of a government has, in short, been mainly to *coerce* the subject; and those the most, who were the least able to resist. The titled and the wealthy are indeed amenable to the law equally with the obscure and the poor,—when the law can be enforced against them; but it is by the titled and the wealthy that the laws are made; of course



they have been made for, as well as by, them ; while the poor have had little concern with them except to obey, or to pay the penalty. But, ought coercion to be the main object of a government ? Ought power to be used chiefly for the purpose of levying taxes, securing the rich in the possession of their property, and keeping down the discontented ? Ought it not to be used for the furtherance of every measure that may contribute to the prosperity of the whole ; to the improvement, physical and moral ; to the happiness and comfort of every individual in the mass ; and more especially to the improvement, the happiness, and comfort of that class which has at its command the fewest means for obtaining them,—the poor ? The general tendency of laws has been to protect the rich against the poor ; ought it not to be, to protect the poor against the rich ? Who are the rich, and who are the poor ? The rich are those who live in luxury and splendour, and produce nothing ; the poor are those who live in mean abodes, and on meagre food, and produce everything. Which class is of the greater importance ? Who prefers the drone that eats, to the bee that makes the honey ? Yet law has been for the drone, and against the bee ; it has given to the former all the honey, and to the latter all the toil.

The government of a nation has often been compared to that of a father over his family ; it would be well if the resemblance were a little stronger than it is. A good father does not content himself with forcing obedience to his commands, right or wrong ; with compelling all who can, either to contribute a share towards the general expense or to remove themselves elsewhere ; he thinks and acts the least for his own personal advantage, and the most for the advantage of his family. He is sedulous to give them the best instructions he can obtain ; to render them moral, prudent, and industrious ; to promote their comfort, health, happiness, and prosperity to the utmost. He was never known to put forward the principle, that by knowing little they will be the better for it ; or even to insist strongly on the danger of any knowledge, that does not come to them through the established church. Like his, ought to be the rule exercised by the government over a people.

The immediate object of the present paper however, is to notice a proceeding, which will be warmly hailed by all who think that one of the most imperative duties of those in power is to see to the well-being of the humbler classes.

The projected measure has as yet proceeded no further than to the Report of a Committee of the House of Commons ; but this report presents, to every philanthropic mind, the gladdening

spectacle of a portion of the legislative body, devoting their time and labour to the humbler classes exclusively ; and that, not to a consideration of the cheapest means for preventing them from expiring of cold and hunger, a sort of regard which is well known to have been consistent with the utmost contempt and ill-will towards the unhappy objects of it,—but to a benevolent and wise consideration of at least one method of promoting their health, their morals, their comfort, and happiness.

As population has increased ; as the rich, and the wealthier of the middle class, have become more selfish, and as buildings have arisen ‘like an exhalation,’ till villages have swelled into towns, and towns into crowded cities ; the uninclosed lands have been wrested from the poor in the country ; the village green, the fields and open spaces in which the youth of towns and cities were accustomed to take their sports and exercise, have been built upon, or forbidden to them, till the health and the spirits of hundreds of thousands—may it not be said millions—have been sacrificed, and their morals corrupted by the pernicious amusements to which, under the privation of natural and healthful relaxation, they have been forced. That this evil conclusion has been advanced from other causes also is undeniable. A people that has to support the most expensive hierarchy on earth, to pay the heaviest rent-roll increased by prohibitions on the exercise of industry, to support the most costly government, and to defray annually the interest of a debt of 800 millions, must be wretched, because they must be poor and overtasked. But a system that forbids to millions the natural means of cheering their spirits and invigorating their bodies, must also make a fearful addition to that wretchedness.

It is to remove a portion of this evil, that the measure under consideration has been brought before the legislature. The motives of the originators of it are entitled to respect and gratitude, because, from want of precedent, in late years at least, and from the absence of any formal demand for it, such a measure may be considered as a boon prompted by their own humane feelings only. Not the less may it justly be regarded as the discharge of a duty to which the people have an indubitable right from those who ought to be their advocates, their protectors, their friends, as well as their rulers. It is high time that the well-being, the happiness of the millions should be thought as much deserving of the anxious care of governments as the property of the few. The only just maxim for the government of a nation, ‘the greatest happiness,’ is, in politics, that which the ‘do unto others as you would they should do unto you’ is in religion. This tenet of political faith, if honestly acted upon by

legislators, would do more in a few years towards the redemption of the people from their present fallen state, than has been done by the thirty-nine articles during the whole time that they have been sworn to and doubted.

The reader will be best presented with a general view of the intended measure, by copying portions of the Report of the Committee itself.

‘The Select Committee appointed to consider the best means of securing open spaces in the vicinity of populous towns, as public walks and places of exercise, calculated to promote the health and comfort of the inhabitants, and who are empowered to report their observations and opinions thereupon to the House, together with the minutes of the evidence taken before them; have pursuant to the order of the House, examined the matters to them referred, and agreed to the following Report.’

‘Your Committee think that, from the evidence which has been adduced before them, the following points may be considered as established:—

‘1st. That during the last half century a very great increase has taken place in the population of large towns, more especially as regards those classes who are, with many of their children, almost continually engaged in manufacturing and mechanical employments.’

‘2nd. That during the same period, from the increased value of property and extension of buildings, many inclosures of open spaces in the vicinity of towns have taken place, and little or no provision has been made for public walks or open spaces, fitted to afford means of exercise or amusement to the middle or humbler classes.’

‘3rd. That any such provision of public walks and open places would much conduce to the comfort, health and content of the classes in question.’

After mentioning Manchester, Salford, Bolton, Blackburn, and Bury, as having a dense population, occupied to a great extent in large mills and factories, the Report proceeds:—

‘It appears, that whilst the wealth, importance, and population of these towns have augmented in a most surprising and rapid manner, no adequate provision has been made for public walks, or any reservations of open spaces, giving facilities for future improvement. Whether this neglect of what would appear a duty of the government, (as conducing to the health and content of the people,) arose from the rapid and important events of the late war which occupied public attention, or from what other cause, your Committee will not presume to determine; it will be their duty to submit suggestions how this omission may be in some measure supplied.’

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‘After the statements which your Committee have thus made, on the situation of the larger provincial towns, they submit the follow-

ing short outline of the state of the metropolis, as regards public walks and places of exercise, for the middle and humble classes.

‘The population of London in 1750, was 676,250; in 1801, 900,000; and now, with the suburbs, it amounts to a million and a half.

‘During the last fifty years, from the increase of building and the augmented value of property, many open spaces have been inclosed, and every day the increasing multitude become more and more restricted in their means of reaching any open and healthy place to walk in. In taking a view of that part of London which is situate at the north of the Thames, your Committee would begin near Vauxhall-Bridge, and follow the margin of this vast city round, till it again meets the Thames near the West India docks. St. James’s Park, the Green Park, and Hyde Park, which reach in a connected line from near Westminster to the top of Oxford-street, afford to the inhabitants of all this western portion of the metropolis inestimable advantages as public walks. The two latter parks are open to all classes. St. James’s Park has lately been planted and improved with great taste, and the interior is now opened, as well as Kensington gardens, to all persons well behaved and properly dressed. Your Committee remark with pleasure the advantage they afford to the public, as also the great facility of approach to this beautiful park, caused by opening a handsome stone footway from the bottom of Regent-street; for this accommodation it is understood the public are indebted to his present Majesty.

‘From Hyde Park, following the edge of the town to the North-east, your Committee find no open public walk till they reach the Regent’s Park to the North of the New-Road. It must be acknowledged that this park is a most inestimable advantage to all those who reside near it; your Committee, however, venture to express their hope that no mistaken regard for a small rent to be derived from the pasturage, will prevent a larger portion of this park being soon thrown open to the public, under proper regulations. The seats afforded for pedestrians are at present quite inadequate for their accommodation.

‘Before proceeding in their survey more to the east, your Committee beg to state that they have heard with much regret, that it is in contemplation to inclose and build upon that pleasant rising ground called Primrose-hill, situate to the north of Regent’s Park. Such a course will much diminish the beauty and salubrity of the park; it will also shut up a healthy open spot which the humbler classes have been in the habit of visiting with their families, in fine weather, time out of mind. No one who has seen the throng resorting thither in the summer months, and the happiness they seem to enjoy, but must lament that this spot, commanding a fine view and good air, should be taken from them. It is understood that it belongs to Eton College, and your Committee humbly suggest that means should be taken by government to secure it in its present open state.

‘Leaving the Regent’s Park towards the east, your Committee

regret to state that for several miles along the northern edge of the metropolis, all the way to the river at Limehouse, there is not a single place reserved as a park or public walk, planted and laid out for the accommodation of the people; yet there is no part of London where such improvements are more imperatively called for. The evidence of witnesses well acquainted with this extensive district, details how desirable such public walks would be.'

It is to be hoped that the suggestion of the Committee to throw open more of the Regent's Park to the public may lead to some good. At present, there is about the management of this place something that savours strongly of jobbing. To call it, in its existing condition, a park for the use and recreation of the public is an absurdity. There is indeed a fine drive round for those who can afford to keep or hire carriages; and by the sides of this drive are gravel walks, on which the public may walk, and which, in an extent of three miles, are provided with some four or five seats; but to call such a spot a public park is an impudent mockery. It is not a public park, but a place set apart for the use of the wealthy only, and the people are permitted to grind out their shoes upon the gravel, merely because they cannot be prevented. The ground is crown land. It was formerly open field, in which thousands found recreation and health. It was inclosed and planted, and laid out with the avowed intention of converting it into a place for the public, under conditions similar to those which regulate the other parks, but the promise has never been fulfilled; and, unless the loud voice of the people force the managers to a discharge of their duty towards them, it is too probable that it never will be. Thus it always is; everything that belongs to the public, some private individual finds it convenient to take; and there is no machinery to prevent it, nor will be, it would appear, till the days of universal suffrage and annual parliaments. No inconsiderable portions of the ground have been let upon lease, and much more may perhaps be misappropriated in the same way. In portions of the inclosed grounds persons are allowed to promenade, but these are the wealthy inhabitants of the houses around and immediately adjoining the park, who are provided with keys for which they must pay two guineas per annum. Improper persons, meaning thereby all those who do not pay for keys, are wholly excluded. If such be the state in which the managers are legally empowered to hold the Regent's Park, let them openly announce it to be so, that the excluded may not be harassed by a feeling that injustice is done them, for the accommodation or the profit, of the wealthy or the

men in trust ; if otherwise, let them as speedily as possible remove the cause of vexation. The pretext used for this exclusion of the public is, forsooth, that the young trees would be injured by the mischievous\*. To this some add, with a look of singular virtue, that the park would become a place of assignation. Heaven preserve us ! Righteous souls, who deprive thousands of your fellow-beings of the means of taking the most innocent and healthful enjoyment, lest the chaste park should be polluted by the whisper of ungodly passion,—cease not your righteous labours there,—shut up field, highway, and hedge,—shut up shop, bridge, street,—close theatre, and concert room, and picture gallery,—close cathedral, parish church, and meeting-house,—all, dreadful to think, may be places of assignation ! The former pretext, is not worth a jot more. If the whole park can, by a slight paling, be kept from the lawless hands of the mischievous, every single tree may also be preserved. The English have the character of being more destructive in this way than the people of the continent. The cause of the difference is probably that the people of the continent have long been trusted in all public places, and have been educated to respect the privilege ; while the people of this country have been trusted scarcely any where, except where money has procured admission, and have consequently not had an opportunity for imbibing those nicer feelings which hold in check all impulses to the commission of acts of petty mischief. The proper method of training them to a more correct demeanour is to give them greater privileges. But, were the destruction of young trees, the trampling down of grass, the plucking of forbidden flowers,—and all the rest of those dreadful deeds which are called trespasses, damages, and what not,—were these to be all tenfold greater than they have ever been in any known instance, or have ever been predicted by the most lordly old gentleman or the most staid dowager that ever lolled in a carriage and despised the vulgar pedestrian horde,—still let the park be thrown open to the uncontrolled range of all who would there seek for air, for exercise of body, for repose of mind, or for enjoyment of any inoffensive kind. The utter destruction of every young tree in the park is not to be set as a fair balance against the improved health and heightened enjoyments of one single human creature who may

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\* Who is it that is not only injuring but destroying the trees, young and old, in Kensington gardens, by thousands ? Not the mischievous people, but the conservative Board of ' Woods and Forests.' This ought to be inquired about in Parliament. The very character of the place is changed ; and for whose profit ?

frequent it. But the plea of certain injury to grass and trees, which has for so many years been used as a cause of exclusion of many hundreds of thousands who, but for this, might have had much enjoyment of which they have been deprived, and might at this moment have been in the full gladness of health instead of the depression of sickness, is wholly worthless. When it shall be quite manifest that no gain is made by this exclusion of the people; that no increased rents are obtained for houses on crown lands, in or adjoining the new aristocratical park; that no leases are granted for building in the very heart of the place; that no keys are let out at an annual rent;—when, in short, it shall appear that no advantage or profit of any kind can accrue to the managers of the Regent's Park by the exclusion of the public, then, and not till then, will it be believed that the reasons for so long a privation of air and enjoyment to hundreds of thousands of human beings, have been a tender regard for the well being of a few thousands of young trees, and a virtuous apprehension lest the innocent lawns and groves should be vitiated by the words, looks, and tones of earthly passion.

As regards Primrose-hill, some good, it is to be hoped, has been already done by the Committee, since it is understood that the plan for inclosing and building upon it, though it may not be absolutely abandoned, has been at least suspended.

It is no doubt perfectly legal to buy and sell property, but there can be little of the spirit of christian charity in the men who, for their own inconsiderable advantage, would deliberately deprive thousands of their fellow-creatures of the means of happiness and of health.

The Report of the Committee proceeds thus:—

‘On turning their attention to the south bank of the Thames, occupied by Southwark and Lambeth, your Committee regret to say, that on a survey of the border of this vast town, from Vauxhall Bridge to the east end of Rotherhithe, there is no single spot reserved as a park or public walk, for the accommodation of the inhabitants. Kennington Common, about seventeen acres, is indeed kept unclosed, and has across it a public thoroughfare; the pasturage appears to belong to the commoners, and to be of no great value; if (by agreement with them) a handsome public walk could be properly laid out and planted round the edge of the common, it would much conduce to the health and comfort of the neighbouring population, and very little diminish the value of the herbage.

‘Your Committee cannot but recommend to the consideration of the House, the peculiar natural advantages which the Metropolis might possess in respect to public walks on the banks of the Thames. There are few continental cities situated on rivers, where the margin

of the stream has not been preserved as an open quay or thoroughfare, along which the public are permitted to walk. It is matter of much regret that this is not the case in London, which in this point is much inferior to Paris, Lyons, Florence, and other foreign towns. It appears that after the fire of London, it was the intention of the legislature to have secured a public way forty feet wide from the Temple to London Bridge; but this laudable intention has been almost entirely frustrated by continual encroachment. In the same way, on the south bank, either by encroachment or by the impolitic if not illegal change of thoroughfares (formerly along the river side), very few places remain where the public have an opportunity of walking on any terrace or eligible promenade near the Thames.'

Here are two-thirds of the largest city in the world, containing a population of perhaps a million, absolutely without any place in which they can find good air, healthful exercise, or out-of-door amusement. Those on the outskirts of the great Babylon may indeed snatch opportunities for excursions to the fields, if through these fields there be a path; but upon that path must they keep, or incur the penalty. Not without trespass may they turn aside to gather a cowslip from the grass, or a primrose from the hedge bank. For the great mass, however, of the toiling and smoke-dried citizens, even this is unattainable, except upon the day of rest; and even of this would the well-fed pious persecutor deprive them, under the pretext that to pass that day in the pure air, and under the blue sky, in the presence of the beautiful works of God, is irreligious.

Let the eye glance upon the map of London, from the Regent's Park, along the northern edge of the Metropolis, to the river at Limehouse; then from Rotherhithe on the south bank, to Vauxhall-Bridge; and let it be remembered that, for the inhabitants of the vast space circumscribed, there is not provided one single place, in which they may unmolested find the healthful relaxation which is absolutely necessary for the sound state of both body and mind; and it will no longer be matter of surprise, that faces and forms should be sallow and weak, and that morals should be at the lowest grade.

The suggestion that there should be public walks upon the banks of the river is peculiarly important. To these might resort multitudes, for whom no better and convenient situation could be found. Though room could not be obtained for the practice of athletic sports, yet a commodious public walk might be formed, where the purer air from the water might be inhaled; and where the spirits might be gladdened, or soothed, by the sight of the wealth-bringing ships, or by that of the majestic stream, leading back the thoughts, as it flows, to the



hills and fresh fields from which it had come, or onward to the great ocean to which its waters are bound.

There is, it is understood, a plan in progress, devised by Mr. John Martin, the celebrated painter, for materially improving and beautifying the banks of the Thames, from Vauxhall-Bridge to some distance below the Tower, on the North side, and to Rotherhithe or thereabouts, on the south; and this plan, if carried into effect, will give opportunity for constructing such public walks. The main purposes of that plan are, to preserve the river from being polluted by the contents of the sewers which are now discharged into it, and to collect those contents for manure,—a manure of the most valuable kind, but at present not only lost as such, but made to produce positive mischief. To effect this object, Mr. Martin proposes to construct two large sewers, one on each bank, which shall receive all the matters now emptied into the Thames, and convey them to receptacles below the city; whence they may be taken in boats, properly contrived to prevent the escape of offensive effluvia, and conveyed by canal or river to the country. This certainly seems a better manner of getting rid of the subject matter, than drinking it.

Whether such an undertaking might prove gainful to those who should embark in it, it is not the purpose to inquire. That the object is an important one, and if carried into effect would prove highly beneficial, can scarcely be matter of doubt.

Public walks upon the banks of the river were, as has been noted, designed by the legislature after the great fire of London; but 'this laudable intention has been almost entirely frustrated by continual encroachments.'

By whom, or by what authority have these encroachments been made?

Too frequently by the power vested in magistrates, of wholly shutting up, or diverting roads which from time immemorial had been in public use; and which were thus as much the property of the public, as their own houses could have been the property of those very magistrates. This power may be justly regarded as a most unconstitutional one, and ought not to be vested in the hands of any body of men whatsoever, less than in those of parliament itself; least of all should it be entrusted to persons wholly irresponsible for its proper exercise; and who, as such, may, without lack of charity, be supposed to regard their own interest, and that of their immediate friends, somewhat more anxiously than the convenience or comfort of the people at large. Instances must be in the recollection of most persons, of pleasant antique lanes, or field foot-paths,

having been shut up or diverted, by order of magistrates, for no conceivable reason except the caprice or interest of the land-proprietor, or the tenant.

After noting certain situations on the north and the south banks of the river as well fitted for public walks, the Report proceeds :—

‘ Your Committee venture to state that whilst they consider Public Walks of the first consequence in the vicinity of populous towns, they think some mode might be devised of reserving spaces fitted for affording places of exercise and recreation to the humbler classes, especially to the younger part of them. Whether this could be accomplished by a small payment for admission, they will not determine ; but they cannot but consider it as important, and are fully persuaded if no such facility for regulated amusement be afforded, great mischief must arise.

‘ Your Committee feel convinced that some open places reserved for the amusement (under due regulations to preserve order) of the humbler classes, would assist to wean them from low and debasing pleasures. Great complaint is made of drinking-houses, dog-fights, and boxing-matches, yet, unless some opportunity for other recreation is afforded to workmen, they are driven to such pursuits. The spring to industry which occasional relaxation gives, seems quite as necessary to the poor as to the rich. It is probable, if some such places were opened on the payment of a small sum, that enough would be received to defray the expense, which either a company of individuals, or the public might lay out for such a purpose.

‘ It seems also of consequence in the neighbourhood of large towns where there are rivers or canals, to have some public bathing-places reserved, which might be open to the humbler classes ; it appears by the evidence adduced before your Committee, that in many instances this might be done advantageously at a small expense, and greatly promote the comfort and content of the people.

‘ It cannot be requisite to point out how necessary some public walks or open spaces in the neighbourhood of large towns must be ; to those who consider the occupations of the working classes who dwell there, confined as they are during the week-days as mechanics and manufacturers, and often shut up in heated factories, it must be evident that it is of the first importance to their health on their day of rest to enjoy the fresh air, and to be able (exempt from the dust and dirt of public thoroughfares) to walk out in decent comfort with their families : if deprived of any such resource, it is probable that their only escape from the narrow courts and alleys (in which so many of the humble classes reside) will be those drinking-shops, where, in short-lived excitement, they may forget their toil, but where they waste the means of their families, and too often destroy their health. Neither would your Committee forget to notice the advantages which the public walks (properly regulated and open to the middle and humbler classes) give to the improvement in the cleanli-

ness, neatness, and personal appearance of those who frequent them. A man walking out with his family among his neighbours of different ranks, will naturally be desirous to be properly clothed, and that his wife and children should be so also ; but this desire duly directed and controlled, is found by experience to be of the most powerful effect in promoting civilization, and exciting industry ; and your Committee venture to remark that it is confined to no age, or station or sex ; few persons can fail to have remarked the difference usually observable in the general character and conduct of those among the working classes who are careful of personal neatness, as contrasted with the habits of others who are negligent or indifferent on this point. It is by inducement alone that active, persevering, and willing industry can be promoted ; and what inducement can be more powerful to any one, than the desire of improving the condition and comfort of his family.

‘ Fortified by these considerations, and hoping to be able to turn the public mind towards the improvement contemplated in the neighbourhood of large towns, your Committee now proceed to suggest how some of the improvements they have adverted to may be carried into effect. The first point would be to remove legal difficulties ; the second, to point out a source from whence the necessary funds might be raised.

‘ It appears from the evidence adduced, that a bill to facilitate exchanges of entailed or corporate property, under proper regulations, at a small expense, would give much aid ; and it is stated to your Committee by eminent surveyors, that if such a bill were passed, the proprietors of adjacent lands would often combine to make improvements, which would open new approaches and facilitate the formation of public walks, being led as much, by a wish to increase the value of their circumjacent property by the improvements, as by a desire to promote the public good.

‘ In like manner an Act to enable persons (in a short and plain manner) to dedicate and bequeath their property in land to such purposes, and to effect these laudable intentions, would be advantageous.

‘ Lest the expense necessary to be laid out for a public walk should be exaggerated, your Committee venture to remark, that it is by no means necessary that such a walk should be immediately contiguous to the town ; if removed a short distance from it, and situated on the side of some public road affording a good approach for the people, it might be of more advantage than if close to crowded habitations ; and the expense also would be thereby much diminished. One or two dry fields by the side of a turnpike road, planted along the margin, and having a broad walk carried round them, would often be sufficient. In that beautiful walk, Christchurch Meadow at Oxford, the land taken up by the walk is very little ; all the inclosed space being available as pasture. It seems doubtful whether any public walk, placed in a secluded situation, would have much attraction for the middle or humbler classes.

‘ Your Committee would suggest that a bill should be passed, declar-

ing that in every future Act for making any turnpike road or canal, from or to any town above a certain population, it should be necessary to insert a clause reserving the land on each side of such road or canal, within a certain distance of the town, from being built upon to the breadth of one hundred yards, or any reasonable space, and preserving to the public, on one side at least, enough for a broad and ample walk, with two rows of trees, and room for seats. This would only throw the building plots somewhat further back, and increase the value of the adjacent land.

‘ In some instances it may happen that Crown lands may be so situated as to facilitate the formation of public walks, or that large proprietors (aware of the advantage to their other property) may be willing to dedicate a part to increase the value of the remainder, or from a laudable desire to promote a great public improvement.

‘ A certain fund, however obtained, in many cases may be necessary, and it must arise, either from public grant, or from voluntary subscription, or by a low rate; in some cases these may all be combined.

‘ When no subscription or donation can be raised, it seems the duty of the government to assist in providing for the health of the people by whose efforts they are supported. From the evidence adduced, however, it seems probable that, in many instances, the liberality of individuals, if properly assisted, would furnish all that is necessary\*, when their attention is directed to the importance of the subject.

‘ In conclusion, your Committee cannot but recommend this subject to the earnest attention of the House; they hope and trust that the time is arrived when an earnest and growing interest in all that relates to the welfare of the humble classes is taking possession of the public mind. As one means of carrying these wishes into effect, they hope that public walks may be gradually established in the neighbourhood of every populous town in the kingdom.’

Few persons, it may be presumed, will be inclined to dissent from the opinion of the Committee as regards the advantageous results to the working classes of such provision for their comfort, health, and innocent amusement. It were indeed to be wished that the places of recreation could be opened to all without the imposition of any admission money whatsoever; since, however small the sum, such charge must operate to thousands as a prohibition upon that habitual enjoyment to which, as the real source of all wealth to the country, they have a sacred claim. But, if the best of any thing cannot be obtained, it is at least desirable to have the best that is attainable.

The suggestion that public bathing places should be provided

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\* This particularly relates to towns like Bolton, Preston, and some others, where large proprietors possess considerable estates in and near the towns in question.

for the humbler classes, is one of particular importance to their comfort and health, perhaps indeed to their morals; at least if there be any truth in the assertion of Dr. Kitchener,—that ‘a clean skin is next to a clean conscience.’ That indecent exposure in places of public resort should be prevented, is unquestionable; but quite as much so is it that proper places should be provided for the unrestricted use of a source of enjoyment and health so important to all, and more especially to those whose occupations are unavoidably productive of personal uncleanness. In the beautiful design published two or three years back, by Mr. John Martin, for bringing the waters of the river Coln to the Metropolis, provision was made for supplying the western end with public baths upon a very large scale; but though apparently promising high advantages and at a comparatively cheap rate, this plan, owing it is believed to the opposition of the Water Companies already in existence, found no efficient supporters, though it had many admirers. Perhaps, however, it may not yet be wholly abandoned. The interference of the police to prevent young people from bathing in places to which they have for years been accustomed, is often impertinently officious, and has led sometimes to fatal consequences. In the examination of Mr. Baker, coroner for the county of Middlesex, may be found the following evidence:—

*Question.*—‘Are you aware of the change that has taken place in the vicinity of London by inclosures continually taking place, so as to shut out the humbler classes from being able to take the healthy exercise that they used to do formerly?’

*Answer.*—‘There is no doubt it is very much the case. I can speak practically respecting it as to individual cases, and particularly with regard to bathing.—The police drive the children now from points where they were accustomed to go, and where they understood the depth of the water; and in order to avoid them they get into deeper water, and are frequently drowned. This has been repeatedly the case in spots of the river Lea.’

Perhaps the police might find occupation more strictly within the line of their duties, than this of prowling about to scare children from an enjoyment so essential to their health and comfort, and to which they are urged by an instinctive desire so strong, that rather than be deprived of it, they will incur the most serious danger.

The spots referred to by the Committee as advantageously situated for public walks along the north-eastern border of London, are three;—First, an open space of nearly fifty acres, called Copenhagen Fields, in a high and healthy situation, and which is now to be disposed of. This spot is eligibly placed

for the convenience of a large population, and so high as to command an extensive view and pure air.

Secondly,—Hackney Downs, or Bonner's Fields, on a dry and gravelly soil, which would form public walks of great advantage to the neighbourhood.

Thirdly,—an extension and improvement of the embankment along the river side, to the east of London, from Limehouse to Blackwall, called the Mill-Wall. This place, if laid out as a public terrace or walk, would command a view of the opposite coast of Kent, and the vessels passing up and down the river to the port of London. The flowing tide gives great freshness to the air at this spot, which appears very eligible for a reserved public walk; and the evidence of eminent surveyors shows that this might be effected at a very moderate expense.

For the south bank of the Thames the Committee recommends as proper spots for public walks,—first, Kennington Common, already named in part of the Report;—secondly, a terrace walk near Lambeth Palace;—and thirdly, one which might be obtained by enlarging the bank on the river side, opposite Chelsea, which would secure a valuable and beautiful spot always open to the public.

On the north bank they point out a good terrace-walk near the Penitentiary, which might be extended and improved; and add, that if part of the garden-ground under the walls of the Penitentiary were planted and laid out, it would make an important reservation for the inhabitants of this part of London.

From this place to the Adelphi-Terrace there is, it seems, no spot calculated for a public walk. St. James's and Hyde Parks are, however, at no very inconvenient distances.

The next place suggested, is the terrace at the back of Somerset-House; in length about 500 feet, belonging to the public, in excellent repair, and only requiring an easy communication to be made to it from the entrance to Waterloo Bridge to ensure a cheap and commodious approach.

This is the last spot pointed out by the Committee; but they add a suggestion, that another and very pleasant promenade might be obtained if, by any agreement with the proprietors of Waterloo Bridge, these could be induced to remove the gate on the north bank, taking toll at the southern side only, thus leaving the bridge free to such as might wish to use it as a mere walk only, and without crossing it. The number of persons who now pay for the sole purpose of walking upon it can scarcely be supposed to contribute more than would be saved in the salary of the keepers of the northern gate; and a great accommodation would certainly be given to the inhabitants of

that neighbourhood. It is probably with a view to a saving of the nature intimated, that at this moment the toll on carriages is collected only at one end.

Against any rate of admission, however low, to the proposed public walks and grounds,—there is a strong objection in the certain fact, that it would operate as a prohibition to many who have the most need for the enjoyment and the least means to purchase it. If a voluntary subscription can be obtained, so much the better.

But upon this source no certain reliance can be placed ; and the alternative seems therefore all that can be trusted in, if attainable. It is gladdening to every philanthropic mind to hear from a portion of the legislative body a sentiment which denotes a just notion of the relation betwixt a government and a people. 'When no subscription or donation can be raised, it seems the duty of the government to assist in providing for the health of the people, by whose efforts they are supported.'

One impediment lies in the way of providing public walks, &c., and this can only be removed by a general Act of Parliament. This impediment is the law which regulates entailed property. According to the existing law, property entailed cannot be exchanged without an express Act for every such transfer ; and the expense, in almost all cases, operates consequently as a prevention, whatever might be the advantage promised.

To procure special Acts of Parliament for each individual case of exchange of entailed property, is too expensive ; and a general Act for permitting such exchanges is therefore desirable. In evidence of this a few questions and answers from the Report of the Committee are now given.

In the examination of John White, Esq. Surveyor to the District of Marylebone, may be found the following.—

*Question.*—'From your acquaintance with the value of property, are you of opinion that if facilities were given for individuals to make exchanges where one portion of the property of one person is mixed up with the property of an adjacent proprietor, that that would be the means of causing considerable improvements to be made in the avenues to London, and in laying out public walks ?'

*Answer.*—'It would be the greatest boon imaginable in these respects.'

*Question.*—'Is it not the case, that improvements are often prevented by the intermixture of small portions of entailed property ?'

*Answer.*—'Most beautiful portions of the metropolis have been, I may say, spoiled by such circumstances.'

*Question.*—'Is it not necessary to go to the expense of a private Act of Parliament in each case ?'

*Answer.*—‘ It is.’

*Question.*—‘ Do you think that a general Act of Parliament which should lay down certain rules to be observed by the parties desirous to exchange, so that the tenant in tail should not have his property injured, would give great facility to such improvements, and probably cause them to be made ?’

*Answer.*—‘ I have no doubt of it.’

*Question.*—‘ Do you not think that an Act of Parliament giving powers of the sort described, would cause many improvements to be made in the country districts ?’

*Answer.*—‘ I assisted my father in laying out a plan in Bolton-le-Moors, in Lancashire, where it would have been of the utmost importance had such power existed, on the property of Lord Bradford and others.’

Such a general Act, it is evident, would be of immense importance, not to the formation of public walks only, but to great improvements of many other kinds.

In one respect the Committee do not go far enough. They speak occasionally of the laying-out of gravel walks for the public, around places to be still preserved as pasturage. But a mere gravel walk would be of little value to many who are most in want of air and exercise; and the reservation of the circumscribed ground for pasturage would lead to trespasses on the one hand, and complaints, or perhaps petty prosecutions, on the other.

The foot is freer and the spirits more buoyant when treading the turf than the harsh gravel; and one game at cricket or football would, to the young and active, be worth more than fifty solemn walks on a path beyond which they must not tread, and beyond which they are therefore perpetually thirsting to go. Public grounds, not walks, are the things wanted; and the sooner these, together with public bathing-places, are provided, the better for the comfort, the health, the morals of the people, and the credit of their rulers. It is to be hoped that the matter will be earnestly followed up during the current session. Let not the originators of the plan be discouraged if it should be thought that the people have hitherto manifested little general interest in the matter. The population at large know as yet little about the measure; but they cannot know without warmly approving of it, or without gratitude to those who interest themselves in its promotion.

Above all things let it be proceeded with at once,—now, while the building fever is in its cold stage, and property of the kind needed is consequently of cheaper and easier obtainment than it has been, or possibly may be again. Anxiously, indeed it is to be hoped that, in the cheering words of the



Committee, 'the time is arrived when an earnest and growing interest in all that relates to the welfare of the humbler classes is taking possession of the public mind.'

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ART. XVI.—1. *Quarterly Review*, No. CI, published in March, 1834.  
Article 'On the Corn Laws.'

2. *Globe*, March 24, 1834.

IN all kinds of polemics whether by sea or land, the best and easiest game that can possibly be played, is to find the leaders of the adversary doing exactly what if they knew better they would not have done, and then take advantage of it and 'go on to immortal glory.' The only defect in truth about the recipe, is that it is not always that such leaders can be caught *en flagrant délit*; but when they are, is the time to make hay whether right or wrong, and the worse the cause the more need there is for taking advantage of the sunshine. It is of leaders as of kings, *Quicquid delirant &c.* All parties must be responsible for the men that get to the top of things; and if they are ill led, they must e'en look on and 'joy to see' how well the adversary shall play his game. One comfort however there generally is to the popular cause, which is that like Bunyan's Christian it may say to the Apollyon, 'though I fall yet shall I rise,' and maintain a cheerful hope that all failures and lettings-down are only steps in the accomplishment of the necessary process to victory. Set down one, therefore, to the *Globe*, and another to the *Quarterly*, for having wrought in the good cause of exhausting fallacy, and giving a whetstone on which to sharpen truth.

'It was a gross delusion practised upon the farmer by the landlords, to say that they, the farmers, were interested in the continuance of the present system of corn laws. (Hear, hear). Let the question be fully and fairly discussed, and let the farmer really understand his own interest, and he would undertake to say that it would be impossible to maintain the doctrine that the two interests were identical, and it would be equally impossible that the monopoly of the corn laws could any longer exist. (Hear, hear.)'—*Times*. House of Commons. March 21, 1834.

This may be all very true and very proveable. But is it proved; or is something given that is no proof? Because if there is, the enemy will crow; and as he is far too stupid to know any difference between a thing proved not, and a thing not proved, the one will do for him just as well as the other.

'The farmer was a person who had to obtain his livelihood by the application of his capital in a particular pursuit—the tillage of land

for instance; his interest, therefore, depended upon the rate of return rendered by his capital, which again depended upon the price of the produce of the land with reference to the rent. If the price fell, or, in other words, if it were reduced by the repeal of the corn laws, the interest of the farmer must be put to rights, and his losses prevented, by a reduction in the rate of rent. (Hear, hear.) When it was clearly proved that the interest of the farmer depended upon the price of the produce of the land with reference to rent, the farmer must be satisfied that he had no interest in the monopoly of the corn laws, but that the landlord had.—*Ib.*

The enemy does no wrong in assuming this to be a statement, that the reason why the farmers have no stake in the corn laws, is *because their interests can be put to rights* by a reduction in the rate of rent; a cause manifestly incompetent to the production of the effect. The farmers are not only interested in paying a proportionate rent, but they are also interested in the *quantity of occupation* for farmers. No thoroughly informed leader on the Anti-corn-law side, would go about to tell the farmers that it was the same thing to them *simpliciter*, that a stop should be put to the cultivation of considerable quantities of the poorer land, and to the profitable application of a certain portion of capital in carrying to the highest point the improvement of the best. The farmers are not very bright, but they are brighter than this; there is no use in throwing away rhetoric of this kind upon them. The farmers know well enough, that when they got the corn laws, they got a flush of farming business; and though they are in an 'agricultural distress' at this present, (which means that they have made fools of themselves), they have a strong converse consciousness, that so far as their brief optics have hitherto been directed, they see nothing but aggravation from any removal. There must be more expenditure of mathematics on all sides, before anybody gets out of this difficulty.

Another authority—

'was ready to maintain the principle that the farmer had no interest in keeping up a high price for corn. The farmer during the currency of his lease was a part proprietor of the soil, and had a temporary interest in high prices, but that interest ceased on the expiration of the lease. The farmer, however, had a large, enduring, and permanent interest in low prices, like that of all employers of capital. The cost of cultivation was different in different qualities of soil, and if they admitted foreign corn, they might throw out of cultivation those poor soils that produced little corn, but they would not throw out the superior soils, and on those soils the farmer would get higher profits than before. Suppose a farmer obtained ten bushels per acre from a certain description of soil upon which the expense of cultivation was

equal to that of soil which produced 20 bushels per acre, it would be no disadvantage to him to have the inferior soils thrown out of cultivation. If they looked to the question with attention, they would find the interests of the farmer were different from those of the landed proprietor, for the one had an interest in low prices and the other in high. The hon. member for Wiltshire had said that he was an advocate for cheap corn if the expense of cultivation was lowered, and he [the speaker] concurred in that principle.—*Ib.*

This is the same assertion, set on a new base. The farmers are to have an interest in the lowering of prices, because the expense of cultivation will be less. Supposing it is, there is little difficulty in seeing that the profit is more likely to go to the landlord than to the farmer. Will the landlord not bethink himself of saying, 'You pay less wages than you used to do, and therefore can give me more rent, or at all events I may take off a shilling an acre from the reduction you insisted on.' It would be a very hopeless effort, to go to a farmer and endeavour to persuade him of the simple converse, viz. that an increase of the price of the corn would be *primâ facie* a most hopeless and dangerous thing for him, by reason that he would have to pay more wages, and the expense of working the land would be increased. He would reply, 'Give me ten shillings an acre in the price of corn, and I will find the increased expense of cultivation even if it be half-a-crown.' The key to the whole would be, that the increase of the price of corn would make a large increase to the rent, which would go in the main to the landlord if there was no lease in the way, but out of which the landlord would be but too happy to let the farmer take the interest for his increase of outlay. And though all converses do not hold, this does.

Upon all this, there is no wonder the opponent should crow. But he will take especial care not to note, that the way in which the farmer was brought to loss by the corn laws, had by no means been rested on such rough and half-examined grounds as these, but had been referred to the effect of the general check to the possibility of finding profitable employment for industry, which must reach the agriculturists last if not first, and make them bite of the bridle of public misery which they have been so zealous in bringing on.

Suppose the working printers in London could procure an Act of Parliament, confining all printing in the United Kingdom to the existing London operatives,—would there be any use in telling them, in the simple case, they did not gain by it? If some collection of stupid, should frame a plan for giving every other kind of workmen a similar monopoly, so that all kinds should finally eat of the common folly, this would be something

like the existing state of things, and their condition might, like Touchstone's shepherd's, be damnable enough;—but this is not the simple case. If they got a monopoly by themselves, they would gain, to a certain extent and for a certain time; and the farmers, when they got the Corn-laws, did the same. When the printers had lived up to the increased profits, and filled all existing printing-offices, however many, with their children and relations (which may reasonably enough be accomplished in twenty years), they would be much where they were before; and the farmers might be the same. But there happen to be two or three new consequences arising out of the fact, that corn is not types. When the printers have got to the extremity of their new tether, they are, at worst, much about the point they were at before. Printers may be full; but they have pretty nearly the same chance they ever had, for making their children hosiers, hatters, haberdashers, or any other of the vocations on the list. Not so the farming conjuror. *He* has had the wit to lay an embargo on the whole progress of the country's industry. He has said, not a step shall you advance beyond what can be kept upon a certain quantity of corn; and then stands admiring the fact, that cousin Jack's six long-boned lads cannot all take snug farms within the county. And cousin Jack discovers if he tries, that there is just as much difficulty to make them tailors. Coats must come by wearers, and they by corn; there can be no infinity 'of shop-board, where there is an Act of Parliament upon the meal-tub. In this way the plague comes round upon the authors. They, and their labourers, are screwed to the last pinch by the competition in their line; at this very moment they have half-a-dozen children each, for whom there is not the smallest chance of escape from the squire's coffee-mill the poor-house. It is quite right,—it is a thing to sing anthems for;—so fall the foes of honesty everywhere, and honest men will the sooner come by the power of living by their work.

Just as the farmers suffer, do the landlords, the smallest most; the only excepted class being those who are born to getting good gifts and governments for their children. And they have a new source of suffering; the poor-rates are devouring them. Those that are not allowed to keep themselves, *they* must keep. In the language used before the Poor-Law Commissioners, 'the eighteen-penny children are eating them up.' Heavens prosper the multiplication of eighteen-penny children; they will be the saving of us after all. Small then is the skill, that cries *Victoria* on the discovery that the landlords are a beast with many backs. The problem to be submitted to the 'Globe' should be, 'Given a million taken

from the 'public; among how many people must half of it be divided, to make it public gain?' It is a strange sort of algebra.

'When it is said that the abolition would affect the landlords only, the assertion means that it would *only* affect the property of the very great majority of those who have any property to be affected.'

Bottle up this, of the vintage 1834; that our grandchildren may admire the notions of their ancestors. It will have an odd look fifty years hence. Let it be duly impressed upon them that it meant that their cunning progenitors bought corn at the dearest market, because they discovered that the very great majority had got corn to sell.

After this, it is very easy to make jokes about 'Ragged Men.' That the ragged men do not get up no inconsiderable joke upon the other side, is dependent on the same causes that take a drove of oxen to the butcher's shop. Perhaps after a little further course of raggedness, the 'march of intellect' may march them in a different direction.

The article in the Quarterly Review, is a congregation of the current fallacies in favour of the robbery of the industrious classes, put forth with the apparent innocence of anything having ever been said on the other side, which is characteristic of ecclesiastics. The first of these plunged into, is the assertion that the maintaining the necessities of life 'at an equable price, is an object most worth the attention of a good government;' the thing meant being 'maintaining them constantly at an *unjust* price.' There is an odd stiffness about the word 'most;' anybody in the trade of criticism will see, that the desire was to say that it was '*the object the most.*' But a reason follows, that is in the highest degree characteristic. 'If they be unusually cheap, you have, in the present state of public morals, so great an increase of idleness and profligacy as to produce a considerable increase in the mortality of each year.' Wherever the carcase of tyranny is, there is sure to be the company of the preachers. To the influence of this kind of holy fraud must men submit in all their concerns, till they can break up the system which rears a separate caste of men by public endowment, to cherish all wrong, father all oppression, and cross the temporal interest of their fellow-citizens everywhere under the mask of helping them to heaven. The next are the old averments, that the landlords will be ruined by getting foreign corn and still no foreign corn will be got; and that foreigners will not buy our manufactures though they may sell us their own; both of them 'theories' which would be discreditable to the bell-man, but utterly ruinous to the parish-

clerk. Suppose it true, that 'foreign governments would never consent to have their fabrics destroyed by the unrestricted introduction of British goods;' does that form any reason why the English people should be so bestial, as to tax themselves to support the tyrants of the soil, and refuse to buy food where it may be had? This is part and portion of the fallacy of 'reciprocity;' which is the point on which the question mainly turns, and of which even the most interested may be suspected to have in general at this moment a very imperfect understanding.

The old fraud that 'the agriculture of the kingdom is the first of all its concerns, the foundation of all its prosperity in every other matter,' is of course reproduced from the agricultural committee. As if it was not known to every man and boy that does not think himself interested in not seeing, that this was a mere thimble play consisting in putting 'agriculture' in the place of 'having corn.' Jokes too against 'King People' may be very good; but 'King People' is a great log if he takes things much longer as he has done. Great strength and eyesight cannot come together, without leading to a consummation 'extremely disagreeable' to the enemies of the public weal.

'Ask,—but let your petition be couched in the menacing terms of a demand, and accompanied with a display of physical force! Knock,—but have sledge hammers and brickbats in readiness to force an entrance through doors and windows!'—*Quarterly Review*, No. CI. p. 243.

So says the Quarterly; and if it thought this was sarcastic, it was wrong in so thinking of a very fair description of what has been impressed upon the people by the same kind of process, as Mr. Ducrow employs when he trains a horse with a carrot as a 'motive' for obedience and the *chambrière* for the opposite. The trade and traffic of all governments in turn, appears to be to teach the people, that they get no justice till it cannot be withheld. The impression on the public is, that governments do not meet to know what is just, but to know how many days of open trenches are between them and surrender to a just demand.

A Lancashire weaver is brought forward, who on being asked whether he does not 'think it a bad principle of political economy to break down wages for the purpose of selling goods cheap abroad, and better to lift up wages so as to secure a great and certain market for our manufactures and agricultural produce at home,'—tumbles, as was likely, into the pit before him, and says, of course, it is a most mischievous thing to bring down wages. The poor man manifestly thought the question asked him was, whether there would be any sense in proposing to the operative to take less wages, for the chance of

the increased quantity the master might sell *under a given state of opportunities*; it was never likely he should understand the darkling allusion to the Corn Laws, contained in the words 'a great and certain market at home.' Had the man been asked, whether the 'intelligent and virtuous part of the weavers in Lancashire' thought it desirable to give the landlord three pounds for a quarter of corn instead of two, in order that the landlord might buy of them with it three yards of cloth instead of two, he would have hit upon a very different kind of doctrine that 'insulted the human understanding.'

The Quarterly Review is glorious on the fact, that manufactures are established throughout the continent. That is to say, the landed robbers first cut off the manufacturers from trading with the continent and thereby laid the continent under the necessity of manufacturing for itself, and now twit them with it. Great is the patience that comes of ignorance; if it would only last. Of course it does not omit to try what can be squeezed out of the obsolete 'Factory' *hoax*. The landlords first sew up the mouths of the manufacturers, and then run about to tell them how painful is the prick of the needle. There is assuredly no insulence and no fraud, that the labouring English would not take from what they call their 'betters' as a compliment. An old diplomatist, they say, would have received a kick behind without moving a muscle; an Englishman of the laborious classes might be persuaded to turn the other cheek, and add with piety 'For what we have this day received.' The winding-up of the Review is most unfortunate; consisting in the unhappiest of all allusions to [Moore's?]\* inimitable poem of 'The Bread-fruit Tree.' The squires, God wot, are the bread-fruit trees; for love of which metaphor we are counselled not to cut them down.

There is no use in raving either at the incendiaries of the press or of public meetings. They mean to lay you as low, as any race of beaten plunderers on record. The public intelligence is rapidly advancing. Liberal terms have been offered, and treated with contempt; it will be time enough to stop again, when we have got the nineteen years tax on home-grown corn, and the land-tax to help the mortgagees. The principal point for study now, is to ascertain how the assured fall of the landed tyranny, may be made to bring down with it the greatest quantity of other abuse. The intimation is freely thrown out, for the benefit of those who may be induced by prolonged resistance to increase the magnitude of the catastrophe.

ERRATA. In No. XXXIX for Jan. 1834, p. 126, l. 6,  
for too read to.

In p. 188, l. 18, for social angle read facial angle.

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